

THE HON'BLE SRI JUSTICE A. V. SESA SAI

WRIT PETITION No.23291 of 2009

ORDER

This Writ Petition is filed under Article 226 of the Constitution of India for the following relief:

“....to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents herein in trying to demolish the shops of petitioner in D.No.7-99 (Old D.No.7-81), RCC building in S.No.91/1,2., Railway Station Road, Tanuku, West Godavari District, without issuing any notice, as illegal, arbitrary, and contrary to the provisions of law” and pass such other order or orders”.

2. Heard learned counsel for petitioner, learned Government Pleader for Roads and Buildings for respondents 1 to 3 and learned Government Pleader for Revenue for respondent No.4.

3. The sum and substance of the case of petitioner is that without issuing any notice and without following due process of law, the respondents are attempting to demolish the shops of petitioner situated in D.No.7-99 (Old D.No.7-81), RCC building in S.No.91/1,2., Railway Station Road, Tanuku, West Godavari District.

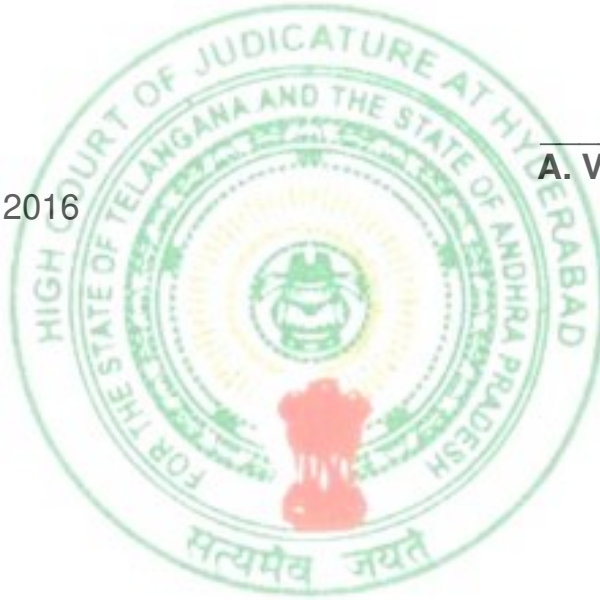
4. This Court initially on 29.10.2009, while issuing notice, granted interim order, directing the respondents not to demolish the subject structures, and subsequently on 13.11.2009, this Court admitted the writ petition and ordered continuation of said interim order until further orders.

5. No counter affidavit is filed, denying the allegations in the affidavit filed in support of the writ petition though approximately 7 years have gone by from the date of filing of the writ petition.

6. In view of the aforesaid reasons, the Writ Petition stands disposed of, making interim order as final order in the writ petition. However, this order will not preclude the respondents from proceeding in accordance with law in the event of there being any necessity. There shall be no order as to costs. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

25th October, 2016

sj



A. V. SESA SAI, J