

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 6140 of 2016

ORDER:

The prayer of the petitioner in this case is as under:

“This Hon’ble Court may be pleased to issue a writ, order(s) or direction more particularly a Writ in the nature of writ of mandamus directing the Respondents not to take any coercive steps of demolition of the compound wall around the property of the petitioner and dispossess the petitioner from its property in Sy.No.52 of Shamshiguda village, Balanagar Mandal, Ranga Reddy District, without giving notice to the petitioner and without following the procedure established by law as being arbitrary and illegal apart from violative of articles 14 and 300A of the Constitution of India and pas such other order or orders as this Hon’ble Court may deem fit and propert.”

2. Sri P. Sri Ram, learned senior counsel for the petitioner, is unable to demonstrate before this Court that the subject compound wall was constructed with due permission from the municipal authorities.

3. Even if that be so, the municipal authorities would necessarily have to follow the due procedure prescribed under the Greater Hyderabad Municipal Corporation Act, 1955 in the event they seek to take any measures in relation to any unauthorized construction.

4. Sri Sampath Prabhakar Reddy, learned Standing Counsel for the Greater Hyderabad Municipal Corporation, does not dispute this aspect.

5. The writ petition is accordingly disposed of directing the respondent authorities to take recourse to the due procedure laid down by law in the event any action is warranted in relation to the said compound wall.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

February 25, 2016
LMV