

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.14494 OF 2016

ORDER

Heard Sri Subrahmanyam Kurella, learned counsel for the petitioner, and Sri N.Ashok Kumar, learned standing counsel for the Greater Hyderabad Municipal Corporation.

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

‘For the reasons stated in the accompanying affidavit, the petitioner prays that this Hon’ble Court may be pleased to issue a writ or writs more particularly in the nature of writ of mandamus declaring the action of the respondent in proceeding with the demolition of the petitioner's premises bearing No. 19-5-11/A to 11/E admeasuring 59 sq. yards situated at Bahadurpura, Hyderabad without following due process of law and without disposing of petitioner representation Dt 13.03.2016 as highly illegal, arbitrary, and violative of Article 14, 21 and 300 A of Constitution of India and also violative principles of natural justice and consequently direct the respondents not to proceed with the demolition of the above said premises in the interest of justice and pass such other and further order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.’

Sri N.Ashok Kumar, learned standing counsel, would state on instructions that there is no proposal as of now to interfere with the petitioner’s property in the context of road widening.

Sri Subrahmanyam Kurella, learned counsel for the petitioner, would however contest this and state that the municipal officials conducted a survey and also marked the property.

Sri N.Ashok Kumar, learned standing counsel, would inform this Court that in the event the petitioner’s property is required for the purpose of road widening, the municipal authorities would follow the due procedure.

In that view of the matter, the writ petition is disposed of directing the Greater Hyderabad Municipal Corporation to follow the due

procedure laid down by law in the event any interference is warranted in the context of road widening. Pending miscellaneous petitions shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

26th APRIL, 2016
PGS