

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.35957 of 2015

-
19.01.2016

Between:

K.Mahender

.. Petitioner

and

The State of Telangana,
represented by its Principal Secretary,
Municipal Administration and Urban Development Department,
Hyderabad and others

.. Respondents

Counsel for the petitioner: Mr.Venkateswarlu Sanisetty

Counsel for respondent No.1: Assistant Government Pleader for
Municipal Administration and Urban Development (TS)

Counsel for respondent Nos.2 and 3:Mr.N.Ashok Kumar,
standing counsel for the Greater Hyderabad Municipal Corporation
(GHMC)

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The Court made the following:

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ORDER:

This writ petition is filed a *mandamus* to declare the action of respondent Nos.2 and 3 in seeking to take possession of land in excess of 16.61 sq.yds. forming part of premises bearing No.10-3-304/14, Humayun Nagar, Hyderabad, as illegal and arbitrary.

This Court on 04.11.2015 adjourned the case to enable the learned standing counsel for the Greater Hyderabad Municipal Corporation (GHMC) appearing for respondent Nos.2 and 3 to secure instructions.

Today, at the hearing, Mr.N.Rishi Kumar, learned counsel representing Mr.N.Ashok Kumar, learned standing counsel for GHMC appearing for respondent Nos.2 and 3, on instructions, submitted that the Corporation is not intending to utilize any land in excess of 16.61 sq.yds. forming part of the aforementioned premises and that the petitioner's plea that the Corporation is intending to utilize 37.50 sq.yds. of land is based on mere apprehension.

In view of the above submissions of the learned standing counsel for GHMC appearing for respondent Nos.2 and 3, which are placed on record, no further adjudication of the writ petition is necessary.

Therefore, the writ petition is dismissed, however, with liberty to the petitioner to avail a fresh legal remedy, in the event the Corporation seeks to acquire land in excess of 16.61 sq.yds. covered by notice of award, dated 11.10.2013.

As a sequel to dismissal of the writ petition, interim order, dated 04.11.2015 is vacated and W.P.M.P.No.46235 of 2015 filed by the petitioner for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

19th January, 2016
GHN

