

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.40139 of 2016

Date: 13.12.2016

Between:

Sri K.Pradyut S/o K.Satyanarayana Reddy,
Aged about 22 years, Occu: Student,
R/o. 5-17, Chanda Nagar, Serilingampally,
Ranga Reddy District and others.

.....Petitioners

and

The State of Telangana, rep.by Secretary,
(Municipal Administration), Hyderabad and
others.

.....Respondents



The Court made the following:

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ORDER:

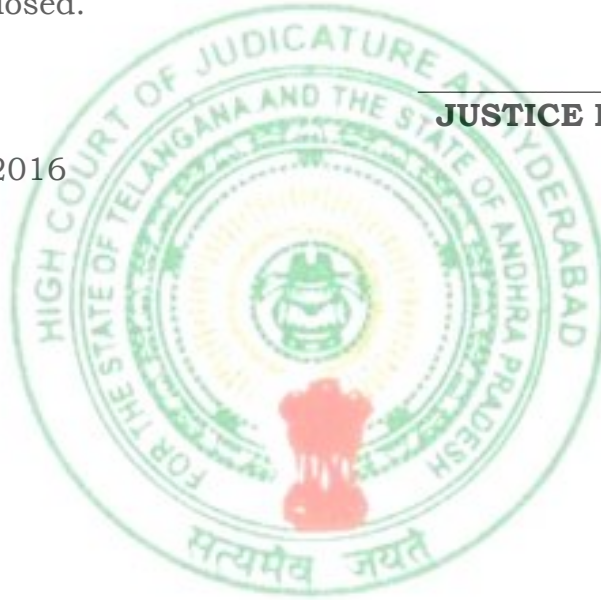
Petitioners allege that illegally and without prior notice and opportunity, employees of the respondent-Municipal Corporation sought to interfere with the possession and enjoyment of the petitioners' property and were illegally removing the gate constructed by the petitioners in their property. Petitioners enclosed photographs showing the alleged demolition activity taken up by some persons claiming as employees of respondent-Municipal Corporation.

2. Learned standing counsel by producing the copy of the Memo dated 01.12.2016 and photographs of the subject property submit that since the elevated concrete block in front of gate was obstructing free flow water, the same was sought to be removed to ensure smooth flow of water and to avoid water logging and except for that, there was no attempt to remove the gate or to interfere with the possession and enjoyment of the petitioners property. By referring to the photographs, he would submit that gate is intact and it is not removed as alleged. He would further submit that having come to know that, Sri Venkatesh, Chairman of Town Planning Section, was removing the alleged encroachments without authorization by the competent authority and without following due process as required by GHMC Act, Memo was issued to him on 01.12.2016 calling for his explanation.

3. In view of the categorical stand of the respondents, as per instructions furnished to the learned standing counsel, the apprehension expressed by the petitioners no more subsists and no further orders are required in this writ petition. The writ petition is accordingly disposed of. It is needless to observe that if there is interference by the respondent- Municipal Corporation without following due process, it is open to the petitioners to avail such remedy as available in law.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

Date: 13.12.2016
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JUSTICE P.NAVEEN RAO

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