

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

WRIT PETITION No.2154 of 2016

-
27.01.2016

Between:

B.Venkata Ramana and others

.. Petitioners

and

The State of Andhra Pradesh,
represented by its Principal Secretary,
Municipal Administration and Urban Development Department,
Hyderabad and another

.. Respondents

Counsel for the petitioners: Mr.Sriman

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

Counsel for respondent No.2: --

The Court made the following:

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ORDER:

The petitioners are forced to file this writ petition, due to noncompliance with the directions issued by this Court in W.P.No.25834 of 2015, by order, dated 14.08.2015, by respondent No.2 to the effect that he shall, on request of the petitioners, furnish survey report and consider the explanations of the petitioners to be filed after receipt of such survey report.

At the hearing, Mr.Md.Saleem, learned standing counsel for the Municipalities (AP) appearing for respondent No.2, has admitted that petitioner No.39 has sent his letter as permitted by this Court requesting respondent No.2 to furnish survey report. He has, however, submitted that subsequently, respondent No.2 has addressed letters to all the petitioners to submit their title documents and building permissions for furnishing survey report.

In my opinion, respondent No.2 has acted in an unreasonable manner, by linking up furnishing of his survey report to the production of title documents and building permissions by the petitioners, as such a condition has not been envisaged in the order, dated 14.08.2015, in W.P.No.25834 of 2015. On the contrary, the petitioners were permitted to submit their explanations along with the relevant documents after receipt of survey report. In this view of the matter, this Court is thoroughly dissatisfied with the conduct of the Commissioner of respondent No.2 as he has acted contrary to the directions of this Court. The learned counsel for the petitioners has fairly agreed that it is sufficient if a copy of survey report is furnished to petitioner No.39 on behalf of all the petitioners.

Therefore, respondent No.2 is directed to furnish survey report to petitioner No.39. Within ten days of receipt of survey report by petitioner No.39, all the petitioners shall submit their explanations along with the relevant documents to respondent No.2. Till these explanations are considered and appropriate order is passed and

communicated to the petitioners, no further action for removal of any of the structures of the petitioners shall be taken up by respondent No.2.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal of the writ petition, W.P.M.P.No.2730 of 2016 filed by the petitioners for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

27th January, 2016

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