

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 19132 of 2016

ORDER :

The present Writ Petition came to be filed seeking to declare action of respondents 2 and 3 to take up out of turn demolition of petitioner's premises bearing No.4-5-281/1, Ground Floor and 4-5-284, First Floor, Opposite to Jain Mandir, Sultan Bazar, Hyderabad under pressure from respondents 4 to 7 as illegal and arbitrary, and consequently direct respondents 2 and 3 to rehabilitate the petitioner at Municipal Complex at Koti, Hyderabad and also take up demolition of the aforesaid premises along with demolition of the total stretch between Bata Show Room and Andhra Bank, Koti after Dasara and Diwali festivals.

2. Heard the learned counsel for the petitioner, the learned counsel representing the Advocate General, Sri N.Ashok Kumar, learned Standing Counsel for respondent No.2 and Sri K.Vivek Reddy, learned Standing for respondent No.3. At the request of the counsel, the Writ Petition itself is taken up for disposal at the stage of admission.

3. Though various grounds are raised in the Writ

Petition, learned counsel for the petitioner stated across the Bar that the aforesaid premises of the petitioner may not be taken up for demolition by singling it out, for the purpose of laying metro rail, and that the petitioner is willing to co-operate with the authorities if his premises is removed along with other shops situated adjacent to it. Learned Standing Counsel appearing for respondent No.2-Municipal Corporation submits that under no circumstances, the shop of the petitioner will be singled out for demolition and it will be done along with other shops situated adjacent to it. Learned Standing Counsel appearing for respondent No.3-Metro Rail fairly submits that a week's time will be given to the petitioner to vacate the premises so that the metro rail work can be carried out smoothly.

4. In view of the submissions made by the learned Standing Counsel appearing for respondents 2 and 3 and having regard to the circumstances of the case, the respondents are directed not to demolish the aforesaid shops of the petitioner by singling it out and the same shall be done along with other shops situated adjacent to it. Further, the petitioner shall be informed to vacate the premises, a week in advance, before the actual demolition.

5. The Writ Petition is disposed of with the aforesaid direction. Miscellaneous petitions pending, if any, in the Writ Petition shall stand closed in the light of this final order. No order as to costs.

C.PRAVEEN KUMAR, J

16.06.2016

DRK

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