

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.13110 of 2016

ORDER:

Heard Sri Kowturu Pavan Kumar, learned counsel for the petitioners, and Sri N. Ashok Kumar, learned Standing Counsel for the Greater Hyderabad Municipal Corporation (GHMC).

The petitioners challenge the impugned notices dated 07.04.2016 issued to them by the GHMC requiring them to vacate within a time frame. It appears that eight out of the nine petitioners herein filed W.P.No.34234 of 2015 before this Court earlier which was disposed of by order dated 11.02.2016. By the said order, this Court observed that it would be necessary for the GHMC to follow the procedure either under Section 146 or under Section 147 of the Greater Hyderabad Municipal Corporation Act, 1955 (for brevity 'the Act of 1955'), if it wanted to secure the property which was in the possession of the petitioners. The impugned notices are neither relatable to Section 146 nor 147 of the Act of 1955.

On this short ground, the writ petition is allowed setting aside the impugned notices. This order shall however not preclude the municipal authorities from taking recourse to fresh action in accordance with the due procedure laid down by law.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

Date:20.04.2016

GJ