

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

Writ Petition No.42352 of 2015

Dated 04th January, 2016

Between:

M/s.PCH Retail Limited Company

...Petitioner

And

Greater Hyderabad Municipal Corporation, rep.by its Commissioner,
Tank Bund, Hyderabad, Telangana State and others

...Respondents

Counsel for the petitioner: Ms.A.Deepthi

Counsel for respondent No.4: AGP for Municipal Administration

The Court made the following:

ORDER:

This writ petition is filed for the following substantive relief:

“...to issue a Writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of respondent Nos.1 to 3 in not initiating action against the illegal construction being made by respondent No.5 on the terrace floor of the house bearing No.8-2-120/84, situated in part of Survey No.403/17 of Shaik Pet Village, Hyderabad and allowing respondent No.5 to carry on the construction contrary to the sanctioned plan issued vide permit No.14307/HO/CZ/C10/2011 dated 25.08.2012 as illegal, arbitrary and contrary to the provisions of the GHMC Act,1955 and consequently direct respondent Nos.1 to 3 to demolish the illegal construction being carried by respondent No.5 at house bearing No.8-2-120/84, situated in part of Survey No.403/17 of Shaik Pet Village, Hyderabad.”

On 29.12.2015, this Court has passed the following order:

“At the hearing, it has come to light that the petitioner

company was ordered to be wound up.

The learned counsel for the petitioner requested for an adjournment for obtaining instructions on the above aspect.”

Today, at the hearing, Ms.A.Deepthi, learned counsel for the petitioner, has fairly conceded that the petitioner was ordered to be wound up and that the Official Liquidator of this Court has been appointed as its Liquidator.

Inasmuch as the petitioner is under liquidation, it could be represented only by the Official Liquidator and as the petitioner is represented by its former Managing Director without even disclosing the fact that it has been ordered to be wound up, the writ petition cannot be entertained as the same is not maintainable in law.

The writ petition is dismissed on this ground alone.

As a sequel to dismissal of the writ petition, WP.M.P.No.54622 of 2015 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

04th January, 2016
VGB