

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

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Writ Petition No.9353 of 2012

DATED:07.04.2016

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Between:

K. Ashok,

Boduppal,

Ranga Reddy District and another.

... Petitioners

And

The Tahasildar,

Uppal Mandal,

Uppal Ranga Reddy District.

... Respondent

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

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Writ Petition No.9353 of 2012

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ORDER:

Heard learned counsel for the parties.

The prayer in the instant writ petition reads thus:

“For the reasons stated in the accompanying affidavit, the petitioners herein pray that this Hon'ble Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the respondent in trying to demolish the property and structures thereon situated in Sy. No. 90, 92 and 93 of Ward No.2, Block No.4, Arunodayanagar Colony, Nagol Village, Uppal Mandal, Ranga Reddy District without notice as highly illegal, arbitrary, violation of principles of natural justice and in violation of Article 300-A of the Constitution of India and consequently to direct the respondent not to interfere with the construction activity on the petitioners' property situated in Survey No. 90, 92 and 93 of Ward No.2 Block No.4, Arunodayanagar Colony, Nagol Village, Uppal Mandal, Ranga Reddy District without any notice and without following the procedure as contemplated under law and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

On 2.5.2012, this Court while admitting the writ petition, on W.P.M.P. No. 11831 of 2012 passed the following interim order:

“There shall be interim stay of demolition subject to the condition that the petitioners are making the construction in accordance with the sanctioned plan without any deviation. This order does not preclude the respondent authority in taking the action by following due process of law, if the petitioners are making the construction illegally.”

Having regard to the prayer made in the writ petition and the interim order passed by this Court on 2.5.2012, I am satisfied that the writ petition can be conveniently disposed of in terms of the interim order.

The writ petition is accordingly disposed of in terms of the interim order dated 2.5.2012. It is once again made clear that if the respondent decides to take any action against the construction, he should follow the due process of law.

Consequently, pending miscellaneous applications shall also stand closed. No costs.

DILIP B. BHOSALE, ACJ

7th April, 2016

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