

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.9989 of 2012

ORDER:

The petitioner states that he is the absolute owner and possessor of house No.44-7-1/4, Thatichetla Palem, Dondaparthi Mandal, Visakhapatnam District, situated in an extent of 182.45 sq. yards. The said property was assessed to property tax. While so, on 24.10.2011, the second respondent came to the said premises and demolished the property for the purpose of widening the road. In those circumstances, the petitioner filed W.P.No.29288 of 2011 challenging the said action and the same was disposed of at the admission stage on 01.11.2011 directing the respondents to follow the procedure contemplated under Greater Hyderabad Municipal Corporation Act. In spite of the said order, as no procedure was followed, and another attempt was made on 05.11.2011, notice was issued to the respondents on 22.12.2011 claiming damages and not to interfere with the premises. When there was no response from the respondents and, on the other hand, when the property was sought to be allotted to the third party for construction of mosque, the present Writ Petition was filed.

This Court, by order dated 11.04.2012, ordered that status quo shall be maintained with regard to allotment of

petition schedule land to the third party other than using the same for widening the road.

No counter affidavit is filed by the respondent even after four years.

In the circumstances, this Writ Petition is disposed of directing the respondents to consider the notice dated 22.12.2011 issued by the petitioner and pass appropriate orders or give reply to the said notice within a period of four weeks from the date of receipt of a copy of this order.

Miscellaneous applications, if any, shall also stand disposed of. No order as to costs.

A. RAMALINGESWARA RAO,J

Date:15.11.2016
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