

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Writ Petition Nos.36361 & 41973 of 2015

Date: 25.01.2016

WP.No.36361/15

Between:

B.Ashok Kumar

.. Petitioner

and

The State of Telangana
rep. by its Prl.Secretary
Municipal Admn. Dept.,
Hyderabad and 4 others

.. Respondents

Counsel for the petitioner :

Mr.Pilli Nagaraj

**Counsel for respondent No.1:
Administration**

AGP for Municipal

**Counsel for respondent Nos.2 to 4: Mr.Sampath Parabhakar
Reddy,**

SC for GHMC

**Counsel for respondent No.5:
Venkataramana,**

Mr.Vedula

Senior Counsel

WP.No.41973/15

Between:

Naresh Kumar Agarwal

.. Petitioner

and

The Greater Hyderabad Municipal Corporation,
rep. by its Commissioner, Hyderabad and another

.. Respondents

**Counsel for the petitioner :
Venkataramana,**

Mr.Vedula

Senior Counsel

for M/s.Bharadwaj

Associates

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The Court made the following:

Common Order

:

WP.No.36361 of 2015 is filed for a Mandamus to declare the action of respondent Nos.1 to 4 in not considering the petitioner's representation, dated 17-08-2015, and removing the illegal construction made by respondent No.5 in Plot No.35, HIG admeasuring 315.39 square meters in Survey Nos.1042, 1046 to 1053 and 1060 to 1065 of Kukatpally, Hyderabad, as illegal and arbitrary. The petitioner sought for a consequential direction to the respondents to demolish the said illegal construction.

WP.No.41973 of 2015 is filed by respondent No.5 in the aforesaid Writ Petition for setting aside the Notice bearing No./UC/W.No.118/CIR-14A/WZ/GHMC/2015, dated 21-12-2015, of respondent No.2, whereby

his application for building regularization was rejected.

At the hearing, Mr.Vedula Venkataramana, learned Senior Counsel appearing for the petitioner in WP.No.41973 of 2015, submitted that WP.No.36361 of 2015 is filed questioning the inaction on the part of the Greater Hyderabad Municipal Corporation (for short 'the Corporation') in removing the illegal construction made by his client, who is respondent No.5 therein; that in pursuance of the interim order passed by this Court, the Corporation has initiated action and even partly demolished the illegal construction; and that feeling aggrieved by the interim order granted by this Court, his client has filed Writ Appeal No.1142 of 2015, which is pending. He has further submitted that as the action has been initiated by the Corporation, the grievance of the petitioner in WP.No.36361 of 2015 stands redressed and that his client will also withdraw the aforesaid Writ Appeal. The learned Senior Counsel further submitted that WP.No.41973 of 2015 has become infructuous in view of the order

rejecting the application for regularisation of the unauthorised construction made by his client and that the said Writ Petition also may be disposed of as infructuous with liberty to his client to pursue WP.No.42623 of 2015 filed against the said rejection order.

The learned Counsel for the petitioner in WP.No.36361 of 2015 has not opposed this request.

In view of the same, both these Writ Petitions are disposed of as infructuous subject to the condition that the petitioner in WP.No.41973 of 2015 shall withdraw Writ Appeal No.1142 of 2015 and with liberty to him to pursue WP.No.42623 of 2015.

As a sequel to disposal of these Writ Petitions, Miscellaneous Petitions, pending if any, stand disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 25th January, 2016
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