

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.43088 OF 2016

DATED : 15.12.2016

Between :

G.Shyam S/o.Gyagori,
Aged 55 yrs, Occu : Builder,
R/o.Plot No.104, A.G.Colony, Erragadda,
Hyderabad – 500 018.

..
Petitioner

And

The Metropolitan Commissioner,
Hyderabad Metropolitan Development Authority (HMDA),
Tarnaka, Secunderabad – 500 017 & others

..
Respondents



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.43088 OF 2016****ORDER :**

This writ petition is filed to declare the action of the respondents 1 to 3 for dismantling the houses in Plot Nos.1 to 12 (13 houses) situated in Sy.No.1025 and 1026, Medchal, Ranga Reddy District is nothing but illegal, arbitrary and erroneous, high handed and without due procedure.

2. Petitioner was served with notice dated 09.09.2016 alleging that illegal constructions are being made by him. Petitioner submitted his explanation on 19.09.2016. On consideration of the explanation, final order was passed on 30.09.2016 rejecting the explanation submitted by the petitioner.

3. Heard learned counsel for the petitioner and Sri V.Narasimha Goud, learned Standing counsel, for R.1 and Sri N.Praveen Kumar, learned Standing counsel for R.2.

4. According to learned Standing counsel, when the concerned person sought to serve the order on petitioner, petitioner refused to receive the same. Therefore, the order was pasted on one of the buildings under construction on 07.10.2016 and the employee of Gram Panchayat by name K.Rajesh made a statement and photograph of the same was taken to that extent. He would therefore, submit that the order dated 30.09.2016 is deemed to have been served on the petitioner.

5. The order dated 30.09.2016 is not under challenge and direction is sought not to undertake dismantling of the houses. No such relief can be granted, when the order is already passed

rejecting the explanation of the petitioner and finalized the proceedings against alleged illegal constructions.

6. Thus, leaving it open to the petitioner to work out his remedies against the order dated 30.09.2016, the Writ Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO,J

15th December, 2016
Rds

