

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 20605 of 2016

ORDER:

Heard learned counsel for the petitioner, Sri N.Ashok Kumar, learned Standing Counsel and learned Government Pleader for Municipal Administration and Urban Development.

The present writ petition is filed under Article 226 of the Constitution of India, with the following prayer:

'For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue a writ, order or a direction more particularly one in the nature of writ of mandamus declaring the action of respondent Nos.1 to 4 in not taking action to demolish the unauthorized and illegal construction made by respondent Nos.5 to 8 in premises No.13-6-551, Talagadda, Gudimalkapur, Hyderabad as illegal, arbitrary and unconstitutional and contrary to the provision of M.C.H.Act and consequently direct respondent Nos.1 to 4 to demolish the illegal and authorized construction made by respondent Nos.5 to 8 in premises bearing No.13-6-551, Talagadda, Gudimalkapur, Hyderabad and pass such other order as this Hon'ble Court may deem fit and proper in the circumstances of the case'.

At the time when the matter is taken up for hearing, learned Standing Counsel for respondent-Corporation placed on record notices dated 17.06.2016 issued under Sections 452(1) and 461(1) of Hyderabad Municipal Corporation Act, 1955 (for short, 'the Act of 1955') and also the second notice dated 25.06.2016 issued under Section 452(2) of the Act of 1955.

In view of the above, it cannot be said that the respondents have not acted upon the representation made by the petitioner seeking demolition of unauthorized and illegal construction and hence nothing survives for adjudication in the present writ petition.

Accordingly, the writ petition is dismissed.

It is needless to mention that respondent-corporation shall take all

steps, in accordance with law, for removing the illegal constructions, if any made.

Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE C.PRAVEEN KUMAR

27.06.2016,
vnb