

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.21386 OF 2017

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents and their subordinates in threatening to dispossess the petitioners from the lawful possession and enjoyment of their property by demolishing the structures in the land admeasuring 775.8 Sq.yards consists of Cellar, Ground + 4 Upper floors with constructed area of 3110 Sft in each floor and cellar is for parking bearing D.No.49-48-16/5 situated in Plot.Nos.17B, 18B and 43part (Old Sy.No.26, 17B of Allipuram Ward) of Balayya Sastry Layout and Sy.No.26/19 of Allipuram Extension Ward under Greater Visakhapatnam Municipal Corporation, Visakhapatnam without recourse to law as illegal, arbitrary and in violation of Article 14 and 300-A of the Constitution of India besides violative of principles of Natural Justice and contrary to the provisions of Hyderabad Municipal Corporation Act, 1955.”

2. Heard and perused the material available on record.
3. The main grievance of the petitioner is that the respondents and their subordinates are threatening to demolish the structures raised in the aforesaid property and dispossess the petitioner therefrom without following the due process of law.
4. Considering the facts and circumstances of the case and the grievance of the petitioner, without going into the merits of the case, the respondents and their subordinates including the

officials, who come under the supervision of the Principal Secretary, Municipal Administration Department, are hereby directed not to threaten and dispossess the petitioner from the aforesaid property without following the due process of law.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

30.06.2017
AMD

JUSTICE RAJA ELANGO



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Date: 30.06.2017

AMD