

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.24068 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 actions of the respondent No.2 & 3 more particularly the respondent No.3 in issuing the Notice vide Lr.No.308/5/5/ACP/C8/RW/GHMC/2017 dt.29.06.2017 forcing the petitioners to give consent and handover the premises bearing Municipal No.5-5-308, admeasuring 172.55 Sq.yards OR 144.27 Sq.Mtrs, situated at Ek Minar Masjid, Hyderabad as illegal, arbitrary and in violation of principles of natural justice, in violation of Articles 14, 21 and 300-A of the Constitution of India in the interest of justice and consequently direct the respondent Nos.2 and 3 not to dispossess the petitioners from premises bearing Municipal No.5-5-308, admeasuring 172.55 Sq.Yards OR 144.27 Sq.Mtrs, situated at Ek Minar Masjid, Hyderabad without following due process of law.”

2. Heard Sri Mohd Zia Ul Haque, learned counsel for the petitioners, and the learned Government Pleader for Municipal Administration appearing on behalf of respondent No.1 and Sri N.Ashok Kumar, learned Standing Counsel for respondent Nos.2 and 3, and perused the material available on record.

3. From the notice, dated 29.06.2017, it is evident that the petitioners were given time for 15 days to give their consent. The petitioners are at liberty either to accept the demand of the

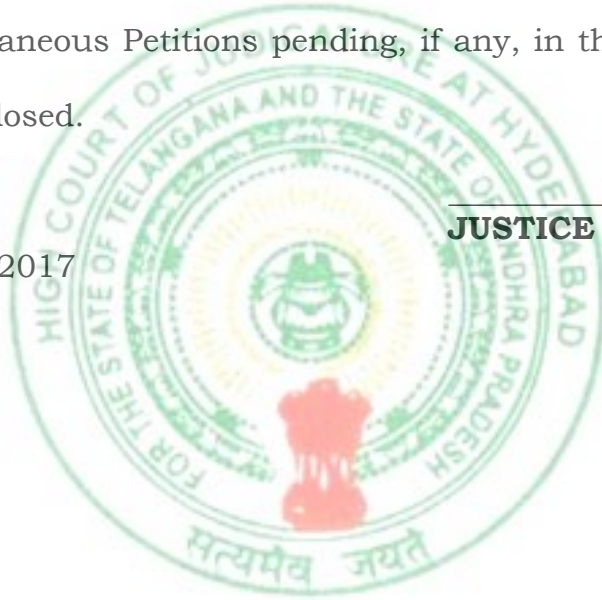
respondents or to give a letter dissenting to the request of respondents herein. Learned counsel for respondents also informed that on such letter received from the petitioners, they will follow the due process in proceeding with this matter. The petitioners are directed to give their explanation on or before 30.07.2017.

4. Recording the submission of learned counsel for respondents, the Writ Petition is disposed of. There shall be no order as to costs.

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

Date : 21.07.2017
AMD

JUSTICE RAJA ELANGO



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AMD