

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.26148 of 2016

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Municipal Administration & Urban Development and Sri Pasam Krishna Reddy, learned Standing Counsel for GHMC.

According to the petitioner, he is the absolute owner and possessor of the plot No.103 in Sy.Nos.9, 11, 20 and 21 of Mallapur Village and Grampanchayat, Ranga Reddy District having purchased the same by way of registered sale deed bearing document No.2158 dated 02.05.1985. The principal grievance of the petitioner in the present Writ Petition, as averred in the affidavit, filed in support of the Writ Petition, is that the second respondent-GHMC, even without issuing notice and without affording any opportunity of hearing to the petitioner herein, is attempting to damage the structures raised in the subject land. Reiterating the said averment, it is submitted by the learned counsel for the petitioner that the right to property is a constitutional right, as enshrined under Article 300-A of the Constitution of India, and no person shall be deprived of his/her property except in accordance with the procedure established in law and, by giving a go-bye to the said

constitutional right, the respondent authorities are trying to demolish the structures of the petitioner herein.

On the other hand, it is submitted by the learned Standing Counsel that the GHMC authorities would issue notice to the respondents and proceed strictly in accordance with law.

In view of the above, the Writ Petition is disposed of, directing the respondents herein not to demolish the structures in plot No.103 in Sy.Nos.9, 11, 20 and 21 of Mallapur Village and Grampanchayat, Ranga Reddy District. However, this order will not preclude the respondents from proceeding in accordance with law, after giving notice and opportunity of being heard to the petitioner herein.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

12th September, 2017
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