

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.10530 OF 2008

ORDER:

No representation for petitioners. Heard Mr.Ramachandra Reddy for 6th and 7th respondents and Mr.V.Narasimha Goud for 2nd respondent.

The petitioners pray for the following relief:

“.....that this Hon'ble Court may be pleased to issue a Writ of Mandamus or any other appropriate writ and declaring that the action of the respondents in proceeding to demolish the building of the petitioner situated in plot Nos. 13 and 14 of Sy.No.3 of Kalvancha Village, Kuntloor Gram Panchayat, Hayathnagar Mandal, Ranga Reddy District, consisting of cellar, ground plus two upper floors, without enabling the petitioner to apply for regularization in terms of G.O.Ms.No.901, dated 31.12.2007 and G.O.Ms.No.112, M.A., dated 31.01.2008 (Rules framed under the A.P. Municipal Laws Urban Areas (Development) (Amendment) Ordinance, 2007), is arbitrary, illegal and consequently direct the respondents to forbear to demolish any part of the said building of the petitioner, before consideration and rejection of the application of the petitioner for regularization in terms of the Rules mentioned above and grant such other relief.....”

The case of petitioners is that the threatened action of respondents in demolishing the structures on Plot Nos.13 and 14 of Sy.No.3 of Kalvancha Village, Kuntloor Gram Panchayat, Hayathnagar Mandal, Ranga Reddy District is illegal, arbitrary and unconstitutional.

The emphasis is on the threatened action of respondents in demolishing the structures without following the procedure

stipulated by law or enabling the petitioners to obtain regularization of structures at petition plots.

Be that as it may, on 02.05.2008, this Court granted interim direction restraining respondents from demolishing any part of building on Plot Nos.13 and 14 of Sy.No.3 of Kalvancha Village, Kuntloor Gram Panchayat, Hayathnagar Mandal, Ranga Reddy District. The interim order is subsisting as on date. The respondents have neither filed counter-affidavit nor a petition to vacate the interim order dated 02.05.2008.

After perusing the material available on record, particularly having regard to the fact that the interim order is subsisting from 2008 onwards, I am satisfied the writ petition can be disposed of by this order.

The interim direction is made final order in the writ petition, however, subject to the condition that if respondents 1 and 2; respondents 6 and 7 intend to proceed against petitioners, the same shall be after putting the petitioners on notice, affording opportunity and in accordance with law.

The writ petition is, accordingly, disposed of. There shall be no order as to costs.

Consequently, pending miscellaneous petitions, if any, stand closed.

S.V.BHATT, J

07th February, 2017

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