

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 5773 OF 2017

ORDER :

Petitioner claims to be the owner and possessor of land in an extent of Ac.1.04 guntas in Survey No. 99 situated at Hafeezpet Village, Serilingampally Mandal, Ranga Reddy District. He constructed a shed for running a work shop and car station in 2007 in the said land. While so, the 4th respondent M/s Vinayaka Nagar Welfare Association fraudulently made representations to the 2nd respondent Corporation stating that the petitioner has encroached the park land. Based thereon, the 2nd respondent Deputy Commissioner issued the notice dated 23.11.2015 to the petitioner to remove/pull down the deviated portion/unauthorized construction, forthwith. The petitioner submits that as a matter of fact, an extent of 2250 square yards, out of Ac.1.04 guntas, was regularized under Land Regularization Scheme. He further submits that pursuant to the notice dated 23.11.2015, the reply notice has been filed on 30.11.2015 and thereafter, he was informed that no action would be taken. Now, all of a sudden, the respondent authorities are making attempts to demolish the shed, without considering the reply submitted by the petitioner and without passing any orders thereon.

Heard learned counsel for the petitioner.

Learned Standing Counsel for the respondent Corporation Sri Sampath Prabhakar Reddy submits that necessary action will be taken in accordance with law, after considering the reply submitted by the petitioner and after passing final orders.

In the circumstances of the case and in view of the assurance held out by the learned Standing Counsel, until final orders are passed by the respondent authorities, considering the reply notice dated 30.11.2015 sent by the petitioner, no coercive action whatsoever shall be taken against his property.

With this, the Writ Petition stands disposed of. No costs.

Consequently, the miscellaneous Applications, if any shall also stand disposed of.

CHALLA KODANDA RAM, J

22nd February 2017

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