

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.1107 OF 2012

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to declare the action of the respondents in taking steps to demolish the existing structure in Plot No.72 in Sy.No.230-3, Anantapur Town, Anantapur District, bearing H.No.6-3-415, Ramnagar, Anantapur and in laying road in the plot of the petitioner, as illegal and arbitrary and consequently, direct the respondents not to lay the road in the petitioner's plot, without following the procedure contemplated under Hyderabad Municipal Corporation Act (for short 'the Act').

Heard and perused the material available on record.

The petitioner is the owner of the property bearing H.No.6-3-415, Ramnagar, Anantapur, and he purchased the said property through registered sale deed dated 30.05.1996. The grievance of the petitioner is that the 1st respondent laid a drinking water pipeline through a portion of the plot belonging to the petitioner and he was informed that he can utilize the plot as the pipeline was laid underground, and subsequently, the 1st respondent is intended to lay a road on the pipeline and is taking steps to demolish the portion of the building of the petitioner, without following due process of law.

Considering the facts and circumstances of the case and the grievance of the petitioner, this Court is inclined to pass the following order:

The writ petition is disposed of directing the respondents not to demolish the structures of the petitioner, without following the procedure as per the Hyderabad Municipal Corporation Act. There shall be no order as to costs. Miscellaneous Petitions pending, if any, shall stand closed.

RAJA ELANGO, J

January 23, 2017
KTL

