

THE HONB'E SRI JUSTICE CHALLA KONDANDA RAM

WRIT PETITION No.10971 OF 2017

ORDER:

The writ petition is filed challenging the action of the 2nd respondent in trying to demolish the petitioner's premises bearing plot No.43, situated in Sy.No.94, Christianpally Revenue Ward, Mahabubnagar, Mahabubnagar District, without following due procedure of law.

It is the case of the petitioner that he is the absolute owner and possessor of the above said property and the petitioner got constructed the ground floor and proceeding to construct the first floor. While things stood thus, on 18.03.2017, the 2nd respondent along with his staff members came to the site of the petitioner and tried to demolish the premises and when the petitioner protested the act of the respondents authorities, the officials of the respondent authorities left the premises, even without issuing any notice as per the provisions of the Hyderabad Municipal Corporation Act, 1955.

Learned counsel for the petitioner submits that the respondents-authorities are making hectic efforts to demolish the premises of the petitioner even without following the due process of law and not giving any opportunity of hearing.

Learned Government Pleader for Municipal Administration (TG) submits that the allegations made by the petitioner are false. If really the petitioner made illegal constructions, the respondents-authorities would follow the due process of law and appropriate steps would be taken for demolition, in accordance with law.

In the light of the submissions made by the respective counsel and in view of the admitted facts of the case that the petitioner is in possession and enjoyment of his premises, his possession shall not be interfered with by the respondents-authorities without following the due process of law.

Accordingly, the writ petition is disposed of directing the respondents not to interfere with the possession and enjoyment of the petitioner except following the due process of law. No order as to costs.

As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand disposed of as infructuous.

CHALL KODANDA RAM,J

Date:30.03.2017.

Note:

Issue CC forthwith.

B/o.

Gk.



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