

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 2576 of 2012

Order:

This Writ Petition was filed challenging the action of the respondents in demolishing the gate and main building of House No.23-3, Chaitanyapuri, Hyderabad, without paying market value of the land and cost of construction by way of compensation.

It is the case of the petitioner that on the complaint of one Mohd. Yakoob Ziaee, S/o late Mohd. Ishaq dated 05.02.1996 before the Collector, Ranga Reddy District alleging that the vacant land kept in the lay out was occupied by the grand father of the petitioner and others, the then Collector ordered the Municipality, Gaddiannaram to enquire and take immediate action. Then the Gaddiannaram Municipality issued a notice on 03.08.1996 directing the grand father of the petitioner and others to remove the gate and illegal constructions within seven days. They have submitted a reply on 13.08.1996 and when another notice was issued on 21.12.1996 the same was also replied. They were asked to submit the sale deeds and necessary permission by letter dated 09.01.1997. They have filed O.S.No.153 of 1997 on the file of Principal Junior Civil Judge, Ranga Reddy against the then Grampanchayat, Gaddiannaram challenging the notice dated 03.08.1996. In the said suit one Sriram Nagar Welfare Association and another person by name M. Lokanath sought to implead themselves and after hearing the parties the trial Court dismissed the suit on 14.10.2003 holding that the then Gram Panchayat, Gaddiannaram has no right to sell the roads and vacant place. The appeal in A.S.No.3602 of 2003 before this Court was also dismissed on 16.12.2011. It appears that the petitioner and others submitted a

revised lay out and the same was pending consideration before the second respondent. In view of pendency of the same, the petitioner filed W.P.M.P.No.54966 of 2016 seeking amendment of the prayer in the Writ Petition.

In view of the *status quo* order granted by this Court on 10.02.2012, the respondents filed W.V.M.P.No.3567 of 2014 seeking vacation of the said order and stating that the petitioner has no right or title to the land claimed by him.

Now, when the matter is taken up for consideration, it is brought to the notice of this Court that the second respondent passed an order on 21.12.2016 rejecting the revised lay out for Ac.18.00 in Survey Nos.109, 110 and 111 of Gaddiannaram. It is submitted by the learned Standing Counsel for the second respondent that after granting the order of *status quo* by this Court the petitioner raised the constructions on the land where he has no title.

In view of the said order of rejection, leaving it open to the parties to work out their remedies this Writ Petition is closed, without recording any findings on the merits of the case. However, the *status quo* order granted on 10.02.2012 shall continue for a further period of thirty (30) days from today. There shall be no order as to costs.

As a sequel thereto, W.P.M.P.No.54966 of 2016 and other miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 03.01.2017
Nsr