

THE HONOURABLE SRI JUSTICE RAJA ELANGO
WRIT PETITION Nos.20889 OF 2007 & 21713 OF 2008

COMMON ORDER:

W.P.No.20889 of 2007 is filed under Article 226 of the Constitution of India seeking to issue a writ of *Mandamus* to declare the action of the respondents in not taking further steps pursuant to the notices issued to the occupants in deviation of sanctioned plan of the parking area in Alluri Residential Complex, Bhagyanagar Colony, Kukatpally in Plot Nos.16, 17 and 18 in Sy.No.167 as illegal, arbitrary and contrary to the provisions of the Municipal Corporation Act and consequently, direct respondent Nos.1 to 3 to remove the unauthorized constructions made in Alluri Residential Complex, Bhagyanagar Colony, Kukatpally, Ranga Reddy District situated in Plots bearing Nos.16, 17 and 18 in Sy.No.167.

2. W.P.No.21713 of 2008 is filed under Article 226 of the Constitution of India seeking to issue a writ of *Mandamus* to declare the notice issued by the respondent in proceedings No.G1/531/S/16989/2007, dated 27.09.2008, as illegal, arbitrary and violation of the principles of natural justice.

3. Since the issue raised in both the writ petitions is one and the same i.e., removal of unauthorized structures in the place earmarked for parking place at Alluri Residential Complex, Bhagyanagar Colony, Kukatpally, these two writ petitions are heard together and being disposed of by way of this common order.

4. Learned counsel for the petitioners in W.P.No.21713 of 2008 and the unofficial respondents in W.P.No.20889 of 2007 submitted that the petitioners in W.P.No.21713 of 2008 and the unofficial respondents in W.P.No.20889 of 2007 have already filed a petition before the Greater Hyderabad Municipal Corporation authorities seeking regularization of the unauthorized structures in the aforesaid parking area and the same is still pending consideration.

5. In view of the said submission, both the writ petitions are disposed of directing the Greater Hyderabad Municipal Corporation authorities not to disturb the possession of the petitioners in W.P.No.21713 of 2008 and the unofficial respondents in W.P.No.20889 of 2007 till disposal of the petition filed by them for regularization of the unauthorized structures in the aforesaid parking area. There shall be no order as to costs.

6. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

21.04.2017
AMD

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Date: 21.04.2017

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