

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.7855 of 2015

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking the following relief:

“...to issue a writ, order or directions more particularly one in the nature of writ of Mandamus declaring the action of the second respondent in issuing the notice dated:05.03.2015,in letter No.593 (Vol-11)/BPP/HMDA/2010, as illegal, contrary to law, arbitrary, without jurisdiction, violation of principles of natural justice and un-constitutional and consequently direct the Respondents only to collect monthly rent for the occupied area in licensed premises without charging any service tax, or in alternatively to permit the licensed area to run entertainment centre inclusive of food court and party zone and pass such other order or orders...”

2. Heard the learned counsel for the petitioner and the learned Standing Counsel for HMDA representing the 2nd respondent.

3. The learned Standing Counsel for HMDA representing the 2nd respondent would submit that the possession of the subject property is already taken over and, therefore, the cause in the writ petition does not survive for adjudication.

4. The learned counsel for the petitioner would submit that the said submission of the learned Standing Counsel for HMDA may be recorded and appropriate orders may be passed.

5. Recording the submission of the learned counsel for both the sides, the writ petition is dismissed as infructuous. No costs.

Miscellaneous petitions pending, if any, in this writ petition shall stand closed.

28th April, 2017
Bvv

M.Seetharama Murti, J