

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.18427 of 2012

ORDER:

1. This writ petition was filed for the following relief:

“A Writ of Mandamus may be issued declaring the action of the respondents in trying to demolish the house plot No.78/A admeasuring 206.66 square yards in Survey Nos.72/part and 75/part in ward No.7, Block No.3 situated at Krishi Co-operative Housing Society Limited, Gaganpahad village, Rajendra Nagar Mandal, Ranga Reddy District, as illegal, arbitrary and against the principles of natural justice and consequently direct the respondents not to demolish the aforesaid house.”

2. This Court, at the time of admission on 21.06.2012, passed the following order:

“It is submitted that the constructions made by the petitioner in house bearing No.7-3-130/78/A situated at Krishi Cooperative Housing Society Limited, Gaganpahad village, Rajendranagar Mandal, Ranga Reddy District, were already regularized by imposing penalty, by proceedings No.BPS/684/C5/SZ/2010-11, dated 15.05.2011. It is also submitted that penalty amount has already been paid. In this writ petition, it is the grievance of the petitioner that at the instance of the third and fourth respondents, without giving any opportunity, respondents 1 and 2 are trying to demolish the structures. It is submitted that the Deputy Commissioner has addressed a letter to the Station House Officer, Shivarampalli Police

Station to provide police force to assist the staff of Greater Hyderabad Municipal Corporation.

Prima facie, from a perusal of proceedings, dated 15.05.2011, it is clear that regularization proceedings were already issued to the petitioner. Even assuming that there are encroachments, they cannot be removed or demolished without issuing any prior notice to the petitioner.

In that view of the matter, there shall be a direction to the respondents not to take steps for demolition of the structures covered by proceedings, dated 15.05.2011, for a period of four weeks."

3. The aforesaid order was extended until further orders, by order dated 05.07.2012. Even after four years, no counter-affidavit is filed by the respondents.
4. In the circumstances, the interim order dated 21.06.2012 is made as a final order.
5. The Writ Petition is accordingly disposed of. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

A.RAMALINGESWARA RAO, J

03-01-2017

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