

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.15661 OF 2011

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“to issue a writ, order or direction and more particularly one in the nature of writ of Mandamus declaring the action of the respondents in interfering with the rights of the petitioner in his property admeasuring 150 square yards in plot No.A39 (part), Sy.No.9/1/I (new), Ward No.11, Block No.14, Sivapuri Colony, Adjacent to Haripuri Colony, Saroornagar, Ranga Reddy District without issuing any notice and following the due procedure as contemplated under the Hyderabad Municipal Corporation Act, 1955 as being illegal, arbitrary and unconstitutional and against the principles of natural justice apart from being in violation of the provisions of the Hyderabad Municipal Corporation Act, 1955, consequently direct the respondents not to interfere with the petitioner’s rights in the said property.”

2. The main grievance of the petitioner is that without issuing any notice and without following the due procedure as contemplated under the Hyderabad Municipal Corporation Act, 1955, the respondent Corporation is interfering with the rights of the petitioner in the aforesaid property.

3. Heard and perused the material available on record.

4. Learned counsel for the petitioner informed that during the pendency of the writ petition, the petitioner has made a representation to the respondent Corporation for regularization of the construction made by him in deviation to the sanctioned plan. Hence, this Court is of the view that there is no need to pass any

further orders in this writ petition. However, in view of the pendency of the said representation, the respondent Corporation is directed not to take any coercive steps till the disposal of the said representation.

5. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

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

06.03.2017
AMD

JUSTICE RAJA ELANGO



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Date: 06.03.2017

AMD