

HON' BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 26237 of 2013 & CONTEMPT CASE No.1836 of 2013

COMMON ORDER:

1) W.P.No.26237 of 2013 came to be filed seeking issuance of writ of mandamus declaring the action of respondent Nos.1 to 3 in not taking any action against the illegal and un-authorised constructions made by respondent No.4 by encroaching on to the foot paths and road margins in spite of issuing notice under Section 452 (1) and 461 (1) of G.H.M.C.Act dated 28.01.2013 in respect of plot bearing No. LIG 25/ 4, K.P.H.B.Colony, Phase-III, Kukatpally, Hyderabad, as illegal, arbitrary and contrary to the principles of natural justice.

2) By an order, dated 29.10.2013, this Court directed both the parties to maintain *status quo* existing on that day.

3) Since the respondents are not taking any action against the un-authorised constructions and encroachments made, the petitioners filed C.C.No.1836 of 2013 stating that the respondents have willfully and deliberately disobeyed the interim order granted by this Court.

4) At the time when the matter is taken up for hearing, Sri Sampath Prabhakar Reddy, learned Standing Counsel for G.H.M.C., Hyderabad, submits that pursuant to the interim orders passed by this Court, the G.H.M.C. vide proceedings No.56/ C14A/ ACP/ TPS/ GHMC/ 2017, dated 30.01.2017, issued notice under Section 402 of Hyderabad Municipal Corporation Act, 1955 and also removed the encroachments on the pavements. The said fact is not disputed by Sri A.Abhishek Reddy, learned counsel appearing for the writ petitioner. Having regard to the above, nothing survives for adjudication in the writ petition and the same is

accordingly closed. In view of closure of the writ petition, the contempt case is also closed. However, the petitioner is at liberty to avail the remedy available under law or challenge, if any fresh cause of action arises.

5) Consequently, miscellaneous petitions, if any, pending shall stand closed.

C. PRAVEEN KUMAR, J

14.03.2017
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