

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.44155 of 2017

ORDER:

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

“For the reasons stated in the accompanying Affidavit, the Petitioner herein prays that this Hon'ble court may be pleased to issue a Writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS, declaring the in action of the respondents no. 1 & 2 in not taking action against the illegal demolition of the wall of Hanumanji Temple located in premises no. 14-6-212 to 218, Nagar Khana , Begum Bazaar, Hyderabad by the Respondent no.3, as illegal, arbitrary, capricious and in violation of the principles of natural justice and fundamental rights which the constitution guarantees contained in Article 14, 19 Article 300 A of the constitution of India and consequently direct the Respondent no. 1 and 2 to take steps for protection of the wall of the temple, and to pass such other orders as this Hon'ble court deem fit and proper in the circumstances of the case.”

2. Heard Sri Aadesh Varma, learned counsel appearing for the petitioner, Sri N.Ashok Kumar, learned Standing Counsel for the Greater Hyderabad Municipal Corporation (GHMC), representing respondents 1 & 2, and the learned Government Pleader for Municipal Administration and Urban Development appearing for the 4th respondent. Perused the material available on record.

3. The grievance of the petitioner is that the 3rd respondent is demolishing the wall appurtenant to the lord Hanumanji Temple, situated in Premises bearing No.14-6-212 to 218, Nagar Khana Begum Bazaar, Hyderabad, and this aspect was brought to the notice of the GHMC authorities, but yet no action has been taken.

4. Learned Standing Counsel appearing for respondents 1 & 2, on instructions, submits that the permission granted to the 3rd respondent to construct a wall has been kept in abeyance and necessary action would be taken, in accordance with law.

5. Having considered the submissions and taking into consideration all the averments made in the writ affidavit and in the light of the respondents taking action by acting on the complaint of the petitioner, the Writ Petition is closed making it clear that the respondent authorities shall be solely responsible, if any unauthorized and illegal constructions are made by the 3rd respondent.

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

There shall be no order as to costs.

CHALLA KODANDA RAM, J

Date: 29th December, 2017

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