

HON' BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.1851 of 2018

ORDER:

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

“.....to issue a Writ of mandamus or any other appropriate Writ or Writs, Order or Orders declaring the action of Respondent No.2 in not considering the Representation Dated 09.08.2017 submitted by the Petitioner in which it had requested the Respondent No.2 to withdraw the proposal of FOOT OVER BRIDGE and BUS SHELTER in front of M/s.SAI SILKS (KALAMANDIR) LIMITED, establishment situated at Premises bearing No.6-3-781/6/1A, Ameerpet, Hyderabad which directly obstructs the ingress and egress to the customers and more particularly vehicular movement to cellar meant for parking as per sanctioned plan is illegal, arbitrary, unjust and also in violation of principles of natural justice and consequently direct the Respondent Nos.2 and 3 to shift the proposal of Foot Over Bridge from the front of M/s.SAI SILKS (KALAMANDIR) Ltd., Premises to any appropriate place and pass such other and further or orders as are....”

2. Heard the learned counsel for the petitioner, the learned Government Pleader for Municipal Administration appearing for respondent No.1 and the learned Standing Counsel appearing for respondent Nos.2 and 3 and perused the prayer in the writ petition with supporting affidavit and other material on record and the written instructions in the form of brief note submitted by respondent Nos.2 and 3 and the interim orders passed by this Court on 25.01.2018.

3. A perusal of the brief note on foot over bridge from the petitioner approached respondent Nos.2 and 3 and negotiated also, shows after considering the request of the petitioner covered by its

representation dated 08.08.2017 and 23.01.2018, the staircase originally as per plan No.1 is redesigned as indicated in plan No.2, which are appended to this order, as part of the order to read of said original plan and the modification saying to avoid any sort of disturbance for the ingress and egress of the customers as well as vehicles into the shopping complex of the petitioner and it is also made clear of the work of the foot over bridge started, keeping the foundation 16 feet away from the customer entry point and 101 feet away from the cellar entry for vehicles and thereby, it shall not obstruct and cause inconvenience to the entry of customers as well as ingress and egress of vehicles into cellar parking.

4. Recording the above submissions, this Writ Petition is disposed of, from the consensus arrived by both the parties.

5. Miscellaneous petitions pending, if any, shall stand closed.

No costs.

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Dr. B. SIVA SANKARA RAO, J

Date: 05.02.2018

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