

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.7953 of 2018

ORDER:

This Writ Petition is filed challenging the action of the respondents 1 and 2 in erecting the bus shelter in front of the petitioners' building situated at Mallappa Madige, SP Chowk, Tandur.

It is the case of the petitioners that they are the absolute owners of the subject property, situated in Ward No.4, Block No.1, Chincholi Main Road, Tandur, having purchased the same under two different registered sale deeds bearing Doc.Nos.1278 of 2016 and 4903 of 2016, dated 20.08.2016 and after obtaining permission from the 3rd respondent-Tandur Municipality, for construction of stilt + 2 floors and stilt + 3 floors over both the plots, vide proceedings dated 27.02.2017, they constructed houses and leased their house to M/s Andhra Bank for establishing its branch, as they are planning to shift their Bank on 12.03.2018, due to some parking problems in the earlier premises. All of the sudden, the officials of the respondent conducted a survey of the land right in front of their house for erecting a bus shelter, for which they objected and requested the officials not to erect the same, but without considering their request, they are trying to erect the bus shelter. Therefore, they submitted a representation dated 26.02.2018 to the respondents 2 and 3 with a request not to establish the bus shelter in front of their house. Even the said representation was not considered and the respondents arbitrarily and high handedly proceeding to construct the bus stop in front of their house on war foot basis. If at all the respondents succeed in

their attempts, it will greatly diminish the commercial value of their houses and they will not be able to utilize their own land left for the purpose of parking for which it was left. Hence the writ petition.

Heard the learned counsel for the petitioners, Sri N. Vasudeva Reddy, learned Standing Counsel for the TSRTC and Sri N. Praveen Kumar, learned Standing Counsel for the Municipality.

This Court cannot go into the factual aspects as to whether construction of a bus shelter in front of the houses of the petitioners would likely to cause inconvenience either to them or their tenants. That is the matter which requires consideration by the authorities concerned.

In those circumstances, the writ petition is dismissed. There shall be no order as to costs.

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

CHALLA KODANDA RAM, J.

Date: 15.03.2018.

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