

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

Writ Petition No.28886 OF 2008

ORDER:

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

“... to issue a writ, order or direction, more particularly one in the nature of writ of mandamus, declaring the action of the respondents in converting the parking area shown in the lay out pertaining to Bowenpally Market Yard at Bowenapally, Secunderabad to that of flower market by the respondents 3 and 4 as arbitrary, illegal, improper, unjust and violative of the principles of natural justice and consequently declare that the lay out cannot be altered or changed to the detriment of the purchasers and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.”

2. I have heard the submissions of *Sri P. Gangaiah Naidu*, learned Senior Counsel, appearing for the petitioner and of the learned Standing Counsel for Agricultural Market Committee, appearing for the respondents 3 and 4. I have perused the material record.

3. At the hearing, learned counsel for the petitioner would submit that the only grievance of the petitioner-Association is that in the event, there is a proposal for construction of flower market at Bowenpally Market Yard, the petitioners must be given a prior notice and an opportunity of hearing before the proposal is finalised and a decision is taken either way.

4. Learned Standing Counsel, having drawn the attention of this Court to the counter affidavit filed by the Secretary, Agricultural Market Committee, Bowenpally, on behalf of respondents 3 and 4, would submit that after construction of separate flower market at Gudimalkapur with

all amenities, the Agriculture Marketing Department and Agricultural Market Committee, Bowenpally, have dropped the proposal of construction of the flower market at Bowenpally Market Yard.

5. In view of the said submissions in the afore-stated counter affidavit and reiteration of the same by the learned Standing Counsel, the learned Senior Counsel appearing for the petitioner would submit that the said submissions may be recorded and the Writ Petition may be disposed of.

6. Recording the submissions, the Writ Petition is accordingly disposed of.

There shall be no order as to costs.

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

October 01, 2018
MD

M. SEETHARAMA MURTI, J

