

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.12298 OF 2018

Date: 18.04.2018

Between:

The Nizamabad Goat and Sheep Market Association
(Regd. vide Regn.No.244/2017), rep.by its President
Billi Nagesh s/o. Shanker, aged about 46 years,
Goat & Sheep Business, r/o.Ahmadi Bazar,
Nizamabad.

.....Petitioner

and

State of Telangana, rep.by its Principal Secretary,
Municipal Administration & Urban Development,
Secretariat Building, Hyderabad and another.

.....Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

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ORDER:

Heard Sri T.V.Kalyan Singh, learned counsel for petitioner, learned Government Pleader for respondent no.1 and Sri V.Satyam Reddy, learned standing counsel for respondent no.2. With their consent, writ petition is disposed of finally.

2. Petitioner is a society of Goat and Sheep vendors. According to petitioner, they were allotted 1500 square yards of area in Sy.Nos.1093/2 and 1094/2 of Nizamabad Shivar, to carry on business. Lease was granted in the year 1996 and same was renewed from time to time.

3. This writ petition is filed alleging that authorities of respondent Municipal Corporation are trying to evict the petitioners from the subject premises without following due process and causing lot of hardship and suffering to them.

4. Material on record would disclose that lease granted in the year 1996 was not extended subsequently. However, their occupation of lease premises is not in dispute.

5. On instructions, learned standing counsel submits that subject premises is in a dilapidated condition and that in the place of existing building, the Municipal Corporation intend to construct a new building with all amenities and unless existing building is demolished, no construction activity is undertaken. However, learned standing counsel fairly submits that due process will be followed before evicting the petitioner-society.

6. In view of categorical assertion of learned standing counsel for respondent Municipal Corporation, it is no more open to petitioner to contend that petitioner-society should be continued in the same premises when Municipal Corporation is intending to demolish subject premises and construct a new building. However, before taking steps to evict members of the petitioner-society, they should put on notice and be given reasonable opportunity and time for relocation, if necessary, before taking steps to undertake construction of new building in the existing premises.

7. Writ Petition is accordingly disposed of. Pending miscellaneous petitions if any shall stand closed. No costs.

JUSTICE P.NAVEEN RAO

Date: 18.04.2018

Note: Issue CC in a week.

(B/o.)
kkm



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