

THE HONOURABLE SRI JUSTICE A. V. SESA SAI

WRIT PETITION No.17001 of 2018

ORDER:

Heard learned counsel for the petitioners, learned Government Pleader for Municipal Administration and Urban Development (Telangana) appearing for the 1st respondent, Sri Sampath Prabhakar Reddy, learned Standing Counsel for the Greater Hyderabad Municipal Corporation appearing for respondents 2 to 8, learned Government Pleader for Revenue appearing for respondents 9 to 12 and learned Government Pleader for Irrigation appearing for respondent No.13.

Seeking the same relief, earlier, the petitioners herein along with another person by name Shailesh Prakash Joshi filed W.P.No.42347 of 2017 before this Court and this Court, by way of an order dated 15.12.2017, disposed of the said writ petition. The operative portion of the said order at paragraphs 3 to 6 reads as under:

“From the submissions made, it is discernible that the petitioners are aggrieved of the proposed action of the afore-stated respondents in not considering the representation, dated 05.12.2017, and in proceeding with restoration of Nala on the South side, adjacent to wall i.e., in an open space covered by the approved layout.

Learned counsel for the petitioners would submit that the course of the Nala is being changed and that if the representation of the petitioners is considered and disposed of, in strict accordance with procedure established by law, the ends of justice would be met.

In reply, learned counsel for the petitioners would submit that the respondents 2 to 8 will follow the procedure established by law in the subject matter.

Accordingly, the Writ Petition is disposed of directing the respondents 2 to 8 authorities not to interfere with the plot of the petitioners, in any manner, except by following the procedure established by law.”

The grievance, as advocated by learned counsel for the petitioners in the present writ petition, is that despite the above said orders, the respondents herein are not adhering to the mandatory procedure and the said action is illegal and arbitrary.

In the considered opinion of this Court, the present Writ Petition for the self-same relief is not maintainable and, accordingly, the same is dismissed. However, it is open for the petitioners to complain about the violation, if any, in appropriate proceedings.

Miscellaneous petitions, if any, shall also stand disposed of.

02.07.2018
v v



JUSTICE A. V. SESA SAI