

THE HON'BLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.25880 of 2016

ORDER:

Heard the learned counsel for the petitioner and the well as learned Standing counsel for the 1st respondent-Corporation .

The prayer in the writ petition is as under:

“ It is therefore prayed that this Hon'ble Court may be pleased to issue a Writ order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 1st and 2nd respondents in not taking any action pursuant to Notice dated 29.6.2016 as being illegal, arbitrary and is in violation of A.P. Municipal Corporations Act, 1994 apart from Article 14 of the Constitution of India, and consequently direct the 1st and 2nd respondents to remove the unauthorized construction made by the 3rd respondent in D.No.76/1 (Old D.No.1/1) of Ramarajupalli village, Kadapa Mandal & District and pass such other order or orders may deem fit and proper in the circumstance of the case.”

During the course of arguments, it is informed to the Court by the learned Standing counsel for the 1st respondent-Corporation that pursuant to the notice dated 29.8.2016 issued under Section 636 of the Greater Hyderabad Municipal Corporation Act, 1955, the respondent Nos.2 and 3 have already removed the

structure. To that effect, he placed on record a photograph to show that the structure has already been removed. Though the learned counsel for the petitioner sought time to get instructions, failed to report to this Court as to whether the structure is already removed or not.

Be that as it may, in the light of the submissions made by the learned Standing counsel appearing for the 1st respondent and looking into the photograph placed before this Court, this Court is convinced that the unauthorized structure pursuant to the orders of this Court dated 14.9.2016 and 21.9.2016 has been removed.

In the circumstances, no further cause would survive in the present writ petition. The Writ Petition is accordingly closed.

Miscellaneous petitions pending, if any, in this Writ Petition shall stand closed. There shall be no order as to costs.

JUSTICE P.KESHA RAO

Date: 23/04/2018

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