

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.44248 of 2017

ORDER :

Heard the counsel for petitioner, Sri Sampath Prabhakar Reddy, learned Standing Counsel for respondent nos.1 to 3, and Sri Vedula Venkata Ramana, counsel appearing for M/s. Bharadwaj Associates.

2. The grievance of petitioner in this case is that respondent nos.4 and 5, without any permission, excavated a cellar and sub-cellar in premises bearing Plot No.63, Nandagiri Hills, Jubilee Hills, Hyderabad, and that the formation of the cellar and sub-cellar is damaging the petitioner's property, which is adjacent to the said property.

3. On 19.03.2018, Sri Vedula Venkata Ramana, counsel appearing for 5th respondent, offered to file an undertaking before this Court that his client would fill up the cellar and sub-cellar.

4. Such an undertaking has been filed on 22.03.2018 stating that the cellar and sub-cellar and like constructions are being closed / blocked by raising heavy iron girders on all sides up to stilt level, and that this would be done in fifteen (15) days.

5. Having regard to this undertaking filed by the 5th respondent, the grievance of petitioner is thus redressed, and the Writ Petition is closed as infructuous.

6. If there is any violation of the undertaking by the 5th respondent, the petitioner is given liberty to revive the Writ Petition.

7. Therefore, for the aforesaid reasons, the Writ Petition is dismissed as infructuous. No order as to costs.

8. As a sequel, miscellaneous petitions pending if any in this Writ Petition, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 27.03.2018

Ndr/*

