

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

WRIT PETITION No.592 OF 2019

ORDER:

This Writ Petition is filed seeking a writ of *mandamus* declaring the action of the respondents in demolishing the property bearing H.No.3-13-142/P/56, Gokulnagar, Mallapur, Medchal Ranga Reddy District, without issuing any notice and following the due process of law, as arbitrary, illegal and also violative of Articles 14, 16 and 300A of Constitution of India, and consequently to direct the respondents not to interfere with his peaceful possession and enjoyment of the said property, without following due process of law.

2. Learned counsel for the petitioner would contend that he has purchased the plot admeasuring 150 square yards or 125.4 square meters in Sy.Nos.96, 97 and 98 situated at Block No.3, Gokulnagar, Mallapur, Medchal Malkajgiri District, under registered sale deed dated 04.07.2008 *vide* document No.1765/2008. After obtaining necessary permission from the Greater Hyderabad Municipal Corporation, he has constructed sheds and living therein. However, the respondent authorities, without issuing any notice, and without having any manner of right, resorted to demolish the same. It is contended on behalf of the petitioner that the construction made by the petitioner is in patta land and not in Government land.

3. As per the records and the submissions made on behalf of the petitioner, no notice was issued to the petitioner to demolish

the structures raised by him over the subject property. Under these circumstances, the respondents are entitled to remove the structures in accordance with the procedure established by law.

4. With the above findings and directions, the Writ Petition is disposed of. There shall be no order as to costs.

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

DR. SHAMEEM AKTHER, J

Date: 10.01.2019

Note: Issue C.C. in three days.

(B/o)
ssp