

THE HON'BLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.33878 OF 2011

ORDER:

Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The prayer sought in the Writ Petition is as under:

“For the reasons stated in the accompanying affidavit, it is hereby 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 directing the respondents 2 to 4 to take steps and stop illegal levelling and construction activities of the respondents 5 and 6 in the land belonging to the firm in Sy.No.28 of Cheekoti Gardens, Begumpet, Hyderabad, and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

3. The basic grievance of the petitioner in the present Writ Petition is that respondents 2 to 4 are not taking steps on the complaint lodged by the petitioner relating to levelling and construction activity done by respondents 5 and 6 in the land belonging to the firm in Survey No.28 of Cheekoti Gardens, Begumpet, Hyderabad.

4. Respondent No.4 filed counter affidavit contending *inter alia* that as on the date of filing of the counter affidavit, no construction activity was going either by the trespassers or by respondents 5 and 6 in the subject property. It is also stated that if an advocate-receiver lodges any complaint against respondents 5 and 6 or trespassers, necessary action will be taken against them in accordance with law. It is further stated that as and when the advocate-receiver approaches the Station House Officer,

Begumpet Police Station, necessary police protection will be provided to her.

5. Be that as it may, since the basic grievance of the petitioner that respondents 2 to 4 are not taking steps and as it is stated in the counter affidavit filed by respondent No.4 that if the advocate-receiver lodges any complaint, necessary action will be taken in accordance with law including providing police protection, this Court is of the opinion that no further orders are required to be passed in the Writ Petition.

6. The Writ Petition is accordingly closed. There shall be no order as to costs. Pending miscellaneous petitions, if any, shall stand closed.

Date:17.09.2019

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P. KESHA RAO, J

