

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.33371 of 2017

ORDER:

This Writ Petition was filed calling in question the order dated 16.9.2017 passed by the Maintenance Tribunal-cum-Sub-Divisional Magistrate-cum-Revenue Divisional Officer, Rajendranagar Division at Attapur, Ranga Reddy District (hereinafter referred to as 'the Maintenance Tribunal'), in Case No.L/Sr.Citizen/615/2017, whereby the petitioner herein was directed to vacate the residential house bearing No.1-111/4/7, Plot No.41, Hanuman Nagar, Kondapur, Ranga Reddy District.

By order dated 05.10.2017, an interim order was passed to the effect that the petitioner be granted two months to secure alternative accommodation to stay in. The order also made it clear that respondent No.3, the petitioner in case No.L/Sr.Citizen/615/2017, was at liberty to enforce the order dated 16.9.2017 against the other tenants. The authorities were directed not to take any coercive steps against the petitioner for a period of two months.

While so, Sri S.Malla Rao, learned counsel for respondent No.3, would inform this Court that respondent No.3 died on 14.01.2019 and therefore, the matter has become infructuous.

Perusal of the impugned order dated 16.9.2017 reflects that respondent No.3 was the sole petitioner in the said case before the Maintenance Tribunal and by the said order, the Maintenance Tribunal directed the petitioner herein, being the sole respondent in

the case, to vacate the residential house in question so as to enable respondent No.3 herein to live there in peace.

As respondent No.3 is no more, the impugned order has become unworkable and does not require execution at this stage. Making this position clear, the Writ Petition is closed. It is also made clear that this Court has not gone into the merits of the matter and any rights asserted by the petitioner as against her husband or his family members shall be adjudicated by the competent forum if the occasion arises, uninfluenced by the closure of this Writ Petition.

Pending Miscellaneous Petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

05th February, 2019
DR