

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

W.P.No.26663 of 2019

ORDER:

It is the case of the petitioner that he is owner and possessor of house bearing No.1-3-106/122/C, Survey NO.710/1 Admeasuring 260 sq. yards situated at New Indira Nagar, Near Community Hall, ECIL Post, R.R. District and that he purchased the said property vide notarized agreement of sale dated 23.12.2006 and thereafter he is residing in the said property consisting one room with asbestos sheet. It is also case of the petitioner that the 3rd respondent issued notice dated 23.11.2019 under Sections 402 and 405 of GHMC Act to remove the unauthorized construction within three days. Aggrieved thereby the present writ petition is filed.

Upon instructions, learned standing counsel for respondent submitted photographs stating that the petitioner raising new construction in the said property and that the said construction is by encroaching grave yard land. He also submitted that on earlier occasion, when the petitioner made similar attempts to raise unauthorized construction upon encroaching the said land, the Municipality has taken appropriate action.

Learned counsel appearing for the petitioner expressed his ignorance on the above facts since his client has not instructed him in this regard.

Since the petitioner has not approached this Court with clean hands, the writ petition is liable to be dismissed.

Accordingly, the writ petition is dismissed. There shall be no order as to costs.

Miscellaneous Petitions, if any, shall stand closed.

Dated 12.12.2019
kvrn

T.AMARNATH GOUD,J