

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.26598 of 2019

ORDER :

This writ petition is filed seeking *Mandamus* to declare the action of respondent Nos.2 to 4 in trying to demolish the structure in premises bearing H.No.2-61/40, Plot Nos.38 and 40 in Sy.No.60, Megha Hills Society, Guttala Begumpet, Madhapur, Sherlingampalli Mandal, Ranga Reddy District, where the petitioner is running A4 Shop by Licence bearing No.SSB017, dated 07.11.2019 without following due process of law, as illegal, arbitrary and violative of Articles 14 and 300-A of the Constitution of India, and consequently, sought a direction to respondent Nos.2 to 4 to restrain from demolition of the premises bearing H.No.2-61/40, Plot Nos.38 and 40 in Sy.No.60, Megha Hills Society, Guttala Begumpet, Madhapur, Sherlingampalli Mandal, Ranga Reddy District.

Though the present writ petition is filed to declare the action of respondent Nos.2 to 4 in trying to demolish the structure in the subject premises without following due process of law, learned counsel for the petitioner restricts his prayer seeking some time for the petitioner to shift the business premises to some other place. Learned counsel also would submit that the petitioner cannot shift the business premises without obtaining necessary permission from the Prohibition and Excise Department and, as such, the

petitioner requires some time for shifting of the business premises.

The learned Government Pleader for Prohibition and Excise has produced a copy of the Notice dt.20.11.2019 issued to the petitioner directing that he should shift the business premises within a period of (14) days from the date of receipt of the said notice.

On the other hand, learned Standing Counsel for the respondents - Greater Hyderabad Municipal Corporation vehemently opposed the relief sought for by the petitioner stating that already there are directions by this Court vide orders dt.10.06.2019 in I.A.No.1 of 2019 in W.P.No.11168 of 2019; and dt.13.11.2019 in I.A.No.2 of 2019 in W.P.No.24848 of 2019 for taking necessary action for demolition of illegal structures in the subject premises.

In view of the same, the petitioner, being a tenant of the subject premises, is bound by the orders passed by this Court. The petitioner is also not challenging the action of the respondents in taking decision for demolition of the structures in the subject premises and restricts his prayer seeking extension of time for shifting of the business premises and moreso when the Prohibition and Excise Department issued Notice dt.20.11.2019 for shifting of the business premises of the petitioner within (14) days, since procedure

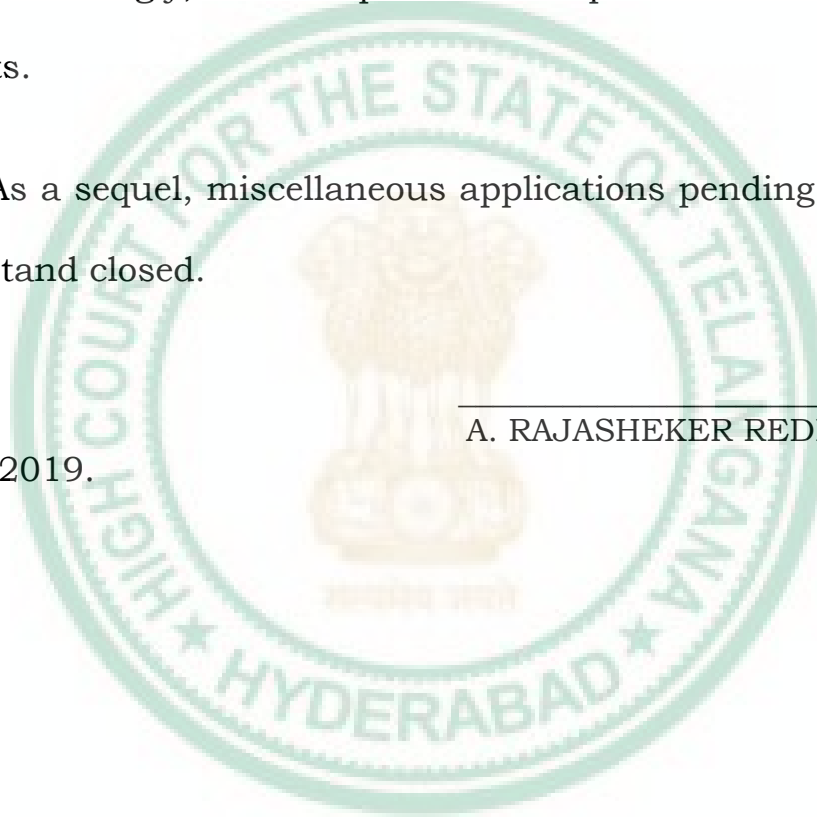
for shifting of the Wine Shop requires some time, the petitioner is granted four (4) weeks time from the date of this order for vacating the business premises along with stock, failing which, it is open for the respondents – Corporation and the Prohibition and Excise Department to take appropriate action as the petitioner has not challenged the action of the respondents for demolition of structures.

Accordingly, this writ petition is disposed of. No order as to costs.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

A. RAJASHEKER REDDY, J

03.12.2019.
Msr



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