

THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION No.1082 of 2020

ORDER:

Heard the learned counsel for the petitioner as well as the learned standing counsel appearing for respondents 2 and 3 respectively.

2. The prayer sought in the writ petition is as under:

'For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondent authorities in threatening to remove the tea stall (Kiosk) situated in Sy.No.1, Beside Sri Krishna Sapphire Building Hitech City, Madhapur, Circle No.12, though the said tea stall is no way causing any obstruction or hindrance to anybody as being illegal, arbitrary, unjust and contrary to the provisions of Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 and consequently direct the respondent authorities not to take any coercive steps without following the due procedure contemplated under the Statute, and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.'

3. Learned standing counsel appearing for the second respondent corporation placed on record the written instructions dated 24.01.2020 issued by the concerned Assistant City Planner. From the perusal of the said written instructions, it is revealed that the officials of the second respondent corporation neither went to the tea stall nor demanded for removal of the tea stall. Learned standing counsel appearing for the third respondent, on instructions, informs the Court that the third respondent is also not interfering with the possession of the tea stall of the petitioner and they did not demand for vacating the same.

4. In the light of the statements made by both the learned standing counsel for respondents 2 and 3, this Court is of the opinion that no further cause would survive in the writ petition.

5. Accordingly, the writ petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

JUSTICE P.KESHAVA RAO

Date:28.01.2020

PGS

