

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**MONDAY, THE THIRTY FIRST DAY OF JULY
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION NO: 37307 OF 2013

Between:

M. Krishnaje Rao, S/o late Balojee Rao, age 62 years, occupation Business, R/o P and T Colony, Dilsukhnagar, Hyderabad.

...PETITIONER

AND

1. The State of Andhra Pradesh rep by, Director of Municipalities, Municipal Administration Hyderabad.
2. The Municipality, Suryapet, Nalgonda District.
3. M. Subash, S/o late Balojee Rao, age 71 years, occupation business, R/o H.No.1-4-18, Main Road, Suryapet, Nalgonda District.
4. M. Chandra Shekar, S/o M. Subash, age 50 years, occupation business, R/o Bodrai Bazar, Suryapet, Nalgonda District.
5. M. Raja Shekar, S/o M. Subash, age 46 years, Occ. Govt Employee, R/o Bodrai Bazar, Suryapet, Nalgonda District
6. M. Venkat Rao, S/o M. Subash, age 42 years, occupation business, R/o Bodrai Bazar, Suryapet, Nalgonda District.
7. M. Prakash, S/o M. Subash, age 40 years, occupation business, R/o Bodrai Bazar, Suryapet, Nalgonda District.
8. Devarasetti Venkanna, Bangle Store, 1-4-18, Main Road, Suryapet, Nalgonda Dist.
9. Naveen, Rajasthan Fancy Store, Bangle Store, 1-4-18, Main Road, Suryapet, Nalgonda Dist.

(WP stands dismissed for default as against RR4&5 for non-compliance of C.O., dt.11-4-2017)

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be

pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus - declaring the inaction of the respondent no.2 in demolishing the building bearing no.1-4-18 Main Road, Suryapet in pursuance of Notice in Letter No.1111/2013 dt.07-10-2013 as illegal, arbitrary and contrary to letter and spirit of Sec.231 of A.P. Municipalities Act 1965 and consequently direct the respondent no.2 to demolish the said building immediately.

I.A. NO: 1 OF 2013(WPMP. NO: 46422 OF 2013)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondent no.2 to cause demolition of the building bearing no.1-4-18 Main Road, Suryapet in pursuance of Notice in Letter No.1111/2013 dt.07-10-2013.

Counsel for the Petitioner : M/s.P.VENUGOPALA RAO PASNOORU

Counsel for the Respondent No.1:GP FOR MUNICIPAL ADMN AND URBAN DEV

**Counsel for the Respondent No.2 : SRI D.BHASKER REDDY
(SC FOR Municipality, Suryapet)**

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE N.V.SHRAVAN KUMAR

Writ Petition No.37307 of 2013

ORDER:

On an earlier occasion i.e., on 28.07.2023, as there was no representation for the petitioner(s) the matter was directed to be listed today under the caption for dismissal.

2. Accordingly, today, though the matter has been listed under the caption for dismissal and when the matter has been taken up for hearing in the afternoon session, there is no representation for the petitioner(s). Hence, this Court has no other option except to dismiss the matter for non - prosecution.

3. Accordingly, this writ petition is dismissed for non prosecution. There shall be no order as to costs.

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

SD/- MOHD. SANAULLAH ANSARI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI P.VENUGOPALA RAO PASNOORU, Advocate [OPUC]
2. Two CCs to GP FOR MUNICIPAL ADMN AND URBAN DEV, High Court for the State of Telangana at Hyderabad. [OUT]
3. One CC to SRI D.BHASKER REDDY, (SC FOR SURYAPET MUNICIPALITY). [OPUC]
4. Two CD Copies.

BSK
GJP

HIGH COURT

DATED:31/07/2023

ORDER

WP.No.37307 of 2013



**DISMISSING THE WRIT PETITION
FOR NON-PROSECUTION
WITHOUT COSTS**

⑦
MHA
22/8/23