

**THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY**

**WRIT PETITION No. 43362 of 2022**

**ORDER:**

This writ petition is filed seeking a writ of *mandamus* declaring the action of respondent Nos.2 and 3 in trying to demolish the shops bearing No.17-1-79/6/A and 17-1-79/6 situated at Edi Bazar, Hyderabad for the purpose of widening the road without any notice and without following any procedure is illegal, arbitrary and in violation of Principles of Natural Justice and consequently issue a direction to the respondents not to interfere with the possession of the petitioner in respect of shops bearing No.17-1-79/6/A and 17-1-79/6 situated at Edi Bazar, Hyderabad.

2. Heard Mr. Mohd.Asifuddin, learned counsel for the petitioners, learned Government Pleader for Municipal Administration and Urban Development and perused the material available on record.

3. The brief facts leading to the filing of the present Writ Petition are that the petitioners are running Tiffin/Snacks shop

and Meat shop bearing Nos.17-1-79/6/A and 17-1-79/6 situated at Edi Bazar, Hyderabad since more than fifty (50) years. It is submitted that they are the tenants of respondent No.4. Respondent Nos.2 and 3 informed the petitioners that they are going to demolish their shops in order to widen the road. The contention of the petitioners is that the respondents without following the procedure as contemplated under the provisions of the Land Acquisition, Rehabilitation and Resettlement Act, 2013 or without issuing any notice or paying compensation, are trying to demolish their shops by dispossessing them.

4. Mr. Abu Akram, learned Standing Counsel for Telangana State Wakf Board appearing on behalf of respondent No.4 has submitted that in fact even before filing of the writ petition, the subject premises have already been removed/dismantled which were in illegal occupation of the petitioners since long time. Therefore, the cause in the writ petition does not survive. Learned Standing Counsel further submitted that the petitioners are not the tenants of respondent No.4 and they have not filed

any receipt or any documents to establish that they are the tenants of respondent No.4.

5. Recording the above made submissions, the writ petition is disposed of. However, the petitioners are at liberty to file fresh application before appropriate forum if they are having any grievance with respondents.

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

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**C.V. BHASKAR REDDY, J**

**February 09, 2023**

NSP