

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

-

WRIT PETITION NO : 5077 of 2005

Between:

A.Lakshminarayana, S/o.Late A.Pochaiah,

Aged 52 years, Occ: Business,

H.No.6-3-841/E/3/A, Ameerpet, Yellareddyguda,

Hyderabad.

.... PETITIONER

AND

1 Municipal Corporation of Hyderabad,

Represented by its Commissioner.

2. Sri. Baddam Mallesh Yadav, S/o.Late Komariah,

H.No.8-3-945/3/1, Ameerpet, Yellareddyguda,

Hyderabad-500 073.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction, more particularly one in the nature of writ of Mandamus directing the 1st Respondent to take action for demolition of the illegal constructions undertaken by the 2nd respondent, in the premises bearing No.8-3-945/3/1, popularly known as "Mallesh Yadav Complex" situated at Ameerpet, Hyderabad and pass such other order or orders as may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.A.MAHADEV

Counsel for Respondent No.1: Mrs. G.JYOTHI KIRAN

Counsel for Respondent No.2: Mr. VILAS V AFZAL PURKAR

The Court made the following:

-
-
-
-

ORDER:

Since the second respondent had already filed a suit in O.S.No.985 of 2003 on the file of the Court of IV Junior Civil Judge, City Civil Court, Hyderabad, petitioner can as well implead himself as a party to the said suit and seek appropriate reliefs in the said suit.

2. With the above observation, the writ petition is disposed of. The IV Junior Civil Judge, City Civil Court, Hyderabad shall dispose of the suit as expeditiously as possible, at any rate, within a period of eight months from the date of receipt of copy of this order. No costs.

C.Y.SOMAYAJULU, J

Dated: 31.03.2005

RAR

To

- 1 The commissioner, Municipal Corporation of Hyderabad.
- 2 IV Junior Civil Judge, City Civil Court, Hyderabad.
3. Two CD copies.