

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

WEDNESDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY

WRIT PETITION NO: 29872 OF 2016

Between:

Rahmat Shafi, W/o, late Mohd. , aged about 78 years, Occ: Household, R/o.H.No.13-2-965/A, Munwar Manzi!, Rahimpura, Puranapool, Hyderabad.

...PETITIONER

AND

1. State of Telangana, Rep. by its Principal Secretary, Municipal Administration & Urban Development Department, Secretariat, Hyderabad.
2. Greater Hyderabad Municipal Corporation, having its office at tankbund, Hyderabad, Rep. by its Commissioner.
3. Greater Hyderabad Municipal Corporation, Circle-VII, having its office at Khairatabad, Hyderabad, Rep. by its Assistant City Planer.
4. Mohd. Abid Hussain, S/o.late Mohd. Lateefuddin aged about 55 years, Occ: Business, R/o.H.No.13-5-610/16, Ambedkar Colony, Neat Tappa Chabutra, Hyderabad.

...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 high handed action of the respondents, particularly the 3rd respondent and its officials, in trying to demolish premises under house bearing municipal no.13-2-965 & 13-2-965/A, known as Munwar Manzi!, situated at Rahimpura, Puranapool, Hyderabad, without issuing any prior notice or without following the procedure contemplated under law, as illegal, arbitrary, unjust, unconstitutional, violation of principles of natural justice and also in violation of Articles 14, 21 and 300-A of Constitution of India and against the provisions of HMC Act, 1955 and the Rules made thereunder, and consequently direct the respondents not to demolish the subject property, without following the procedure contemplated under law.

WPMP. NO: 36971 OF 2016

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 respondents not to demolish the premises under house bearing municipal no.13-2-965 & 13-2-965/A, known as Munwar Manzi!, situated at Rahimpura, Puranapool, Hyderabad, without following the procedure contemplated under the law, pending disposal of the writ petition.

Counsel for the Petitioner: SRI. MOHD. MOIN AHMED QUADRI

Counsel for the Respondent No.1:

GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT

Counsel for the Respondent Nos.2 & 3: SRI N. ASHOK KUMAR, SC FOR GHMC
Counsel for the Respondent No.4: NONE APPEARED

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.29872 of 2016

ORDER:

Due to efflux of time, the cause in the present writ petition does not survive and the same has become infructuous.

Hence, the writ petition is dismissed as infructuous. In case the official respondents intend to take any action against the petitioner, they shall do so strictly in accordance with law.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

SD/-M.MANJULA
ASSISTANT REGISTRAR

✓
//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri Mohd. Moin Ahmed Quadri, Advocate [OPUC]
2. Two CCs to GP for Municipal Administration and Urban Development, High Court for the State of Telangana at Hyderabad. [OUT]
3. One CC to Sri N. Ashok Kumar, SC FOR GHMC [OPUC]
4. Two CD Copies
5. One Spare Copy.

CHR

✓

HIGH COURT

DATED:30/06/2021

ORDER

W.P.No.29872 of 2016



DISMISSING THE WRIT PETITION
AS INFRACTUOUS
WITHOUT COSTS

ATM (7)
31/7/2021