

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: 17485 OF 2013

Between:

Sri Raparti Narayana, Occupation Business, R/o. H.No.4-2-461, Badi-chowdi Lane, Sulthan Bazar, Hyderabad.

...PETITIONER

AND

1. Greater Hyderabad Municipal Corporation, rep. by its Commissioner, having its office at Tank Bund, Basheerbagh, Hyderabad.
2. Greater Hyderabad Municipal Corporation, rep. by its Town Planning Officer, Circle No.8 having its office at Abids, Hyderabad.
3. Mr. Nagaraj, S/o. Not known to Petitioners, aged about 35 years, occ: Business, R/o. R/o. H.No.4-2-459, Badi-chowdi Lane, Sulthan Bazar, Hyderabad.
4. Smt. Dr. Durgesh Nandini, W/o. C.Rajendra Prasad, Aged about 55 years, Occ: Professor,
5. Sri C. Rajendra Prasad, S/o. Lare C. Yadgiri, aged about 55 years, Occ: Retd. Government Employee,

(Both Respondent No.4 & 5 are R/o. H.No.4-2-454 to 457, Badichowdi Lane, Ramkote, 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 more in the nature of writ of mandamus declaring the action of the 1st and 2nd Respondent in not removing the unauthorized construction made by the respondent No.3 to 5 which is constructed over the premises in Municipal No.4-2-459, Badi-chowdi Lane, Sulthan Bazar, Hyderabad as arbitrary, illegal, in violation of principles of natural justice, violative of the

Fundamental Right guaranteed under Articles 14 and the Constitutional Right of the Constitution of India and violative of provisions of the HMC Act.

I.A. NO: 1 OF 2013(WPMP. NO: 21264 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 2nd Respondent to dispose the representation dated 18.03.2013, in the interest of justice

I.A. NO: 2 OF 2013(WPMP. NO: 21265 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 stay the construction in Municipal No.4-2-459, Badi-chowdi Lane, Sulthan Bazar, Hyderabad, in the interest of justice

Counsel for the Petitioner: SRI B.V.V.S. MURTHY

**Counsel for the Respondent No.1 & 2: SRI R. RADHA KRISHNA REDDY,
SC FOR GHMC**

Counsel for the Respondent No.3: SRI K. MOHAN

Counsel for the Respondent No.4 & 5: SRI KISHORE RAI

The Court made the following: ORDER

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

Writ Petition No.17485 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/- T.JAYASREE
ASSISTANT REGISTRAR
GB
SECTION OFFICER

To,

1. One CC to SRI B.V.V.S. MURTHY, Advocate [OPUC]
2. One CC to SRI R. RADHA KRISHNA REDDY, SC FOR GHMC [OPUC]
3. One CC to SRI KISHORE RAI, Advocate [OPUC]
4. One CC to SRI K. MOHAN, Advocate [OPUC]
5. Two CD Copies

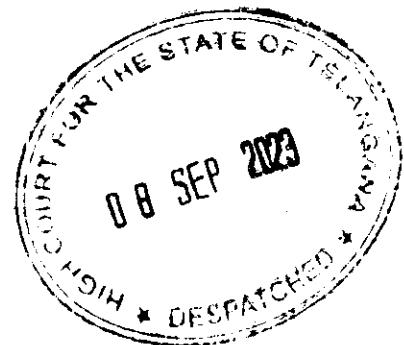
BN

GJ



HIGH COURT

DATED:31/07/2023



ORDER

WP.No.17485 of 2013

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

7/19/23