

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

THURSDAY, THE FIRST DAY OF OCTOBER
TWO THOUSAND AND FIFTEEN

:PRESENT:
THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WP .NO:15521 & 24640 of 2015

WP .NO:15521 of 2015

Between:

S. Suraj S/o. Vishnu Prasad (minor), Represented by Natural father and
Guardian

S. Vishnu Prasad S/o. S. B. Ramulu, Age: 46 years, Occ: Self Employee,
R/o. H.No.1-10-98/13, Dwarakadas Colony, Begumpet, Hyderabad.

..... Petitioner

AND

- 1 The State of Telangana, represented by its Principal Secretary to the
Municipal Administration Department, Secretariat Buildings,
Hyderabad.
- 2 The Greater Hyderabad Municipal Corporation, Hyderabad,
represented by its Commissioner, Tank Bund, Hyderabad.
- 3 The Deputy Commissioner, Circle 18, Secunderabad, Greater
Hyderabad Municipal Corporation

.....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 an order or direction more particularly one in the
nature of writ of mandamus or any other appropriate writ declaring the order
passed by the respondent no.3 in order no. 98/13/10/1/TPS/W.No.1/CIR-
18/NZ/GHMC, dated 28-5-2015, as arbitrary, illegal, null and void and
violative of Principles of natural justice and also violative of Articles 14, 19
and 21 of the Constitution of India and also violative of the provisions of
Greater Hyderabad Municipal Corporation Act, 1955, as the same is passed
without considering the explanation submitted by the petitioner, dated 23-5-
2015, and without giving any opportunity of hearing to the petitioner and the
same is passed by filling the blanks in a proforma order.

Counsel for the Petitioner : SRI K.VENUMADHAV

Counsel for the Respondents No.1 : GP FOR MUNICIPAL ADMN., (TG)

Counsel for the respondents No. 2 and 3: SRI C. MADHU, SC

WP .NO: 24640 of 2015

Between:

S. Pardhasaradhi, S/o. S.Vani Prasad

Aged about 7 years, Occ: Student, Being minor represented by his natural father and guardian S.Vani Prasad, S/o. S.B. Ramulu, Occ: Doctor, R/o. H.No. 1-10-98/13, Dwarakadas Housing Society, Begumpet, Hyderabad.

..... Petitioner

AND

- 1 The State of Telangana, Rep by its Principal Secretary, Municipal Administration Department, Secretariat, Hyderabad.
- 2 The Greater Hyderabad Municipal Corporation, Hyderabad, represented by its Commissioner, Tank Bund, Hyderabad.
- 3 The Deputy Commissioner, Circle no.18, Secunderabad, Greater Hyderabad Municipal Corporation.
- 4 S.Suraj S/o. Vishnu Prasad (minor), Represented by his natural father and Guardian, S.Visnu Prasad, S/o. S.B. Ramulu, Occ: Self Employee, R/o.H.No.1-10-98/13, Dwarakadas Colony, Begumpet, Hyderabad.

.....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 writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction on part of the 2nd and 3rd Respondents for not considering the representation of the Petitioner dt:30-07-2015 and thereby failing to prevent the illegal construction of the Respondent over his house property comprising of 133 Sq.yards towards northern portion of H.No.1-10-98/13, Dwarakadas Colony, Begumpet, Hyderabad as illegal and arbitrary and in violation of Article 14 and 21 of Constitution of India and consequently direct the respondents No.2 and 3 to remove the illegal structures.

Counsel for the Petitioner : SRI KIRAN PALAKURTHI

Counsel for the Respondents No.1 : GP FOR MUNICIPAL ADMN., (TG)

Counsel for the respondents No. 2 and 3: SRI C. MADHU, SC

The Court made the following

ORDER:

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“As directed by this Court, report is filed along with the photographs. The report clearly discloses that illegal constructions of 2nd and 3rd floors is made contrary to the orders passed by this court and without any building permission application and without sanction of building permission. On the face of the orders, the action of the petitioners is illegal and violation the orders of this Court. At this stage, counsel for petitioners request time.

Appearance of the officers is dispensed with for the present.

Post on 06-10-2015.”

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ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Principal Secretary to the Municipal Administration Department, State of Telangana, Secretariat Buildings, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad, Tank Bund, Hyderabad.
3. The Deputy Commissioner, Circle 18, Secunderabad, Greater Hyderabad Municipal Corporation
4. Two CCs to GP for Municipal Admn., (TG), High Court Buildings, Hyderabad (OUT)
5. One CC to Sri K.Venumadhav, Advocate (OPUC)
6. One CC to Sri Kiran Palakurthi, Advocate (OPUC)
7. one Spare Copy

HIGH COURT

AB

DRAFTED ON 3-10-2015

PNRJ

DATE: 1-10-2015

NOTE: POSTON 6-10-2015

ORDER

WP. NO. 15521 AND 24640 OF 2015

**DISPENSING WITH THE PRESENCE
OF THE OFFICERS**