

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION NO.28148 OF 2019

ORDER:

This writ petition is filed seeking to declare the notice dated 16.12.2019 in No.192/TPS/C-29/NZ/GHMC/2019 of respondent No.3 as illegal.

2. It is the case of the petitioner that he is the absolute owner of property bearing H.Nos.12-13-193, 194, 195 and 196, situated at Tarnaka, Hyderabad. Originally, the land covered by Sy.No.181 (old 164/2) of Tarnaka was purchased by his late grandmother from Sri Ghulam Mohamood Saheb, S/o. Mohamad Ghouse Saheb to an extent of Ac.4-23 guntas. While so, on 28.11.2019, the Deputy Commissioner by name Ravi Kumar came to his house and threatened his staff, upon which, he filed a police complaint against the GHMC staff on 12.12.2019 in local Police Station. It is further stated that on 16.12.2019, he received a notice from the GHMC office, directing him to attend the hearing before the Deputy Commissioner, Circle 29, Secunderabad on 19.12.2019 at 3.00 PM. Aggrieved by the same, he filed the present writ petition.

3. Heard.

4. Sri Chatla Madhu, learned standing counsel for GHMC, submits that in view of the disputes, the respondents were constrained to take up the issue to resolve the matter with regard to some passage and there is no wrong in issuing the impugned notice.

5. The Deputy Commissioner, GHMC, is not empowered with the power of Civil Court to decide the title and the impugned notice also does not indicate with regard to service of complaint upon the petitioner. Hence, the action of the respondents is in violation of principles of natural justice.

6. Accordingly, the Writ Petition is allowed setting aside the notice in No.192/TPS/C-29/NZ/GHMC/2019 of respondent No.3. As a sequel, the miscellaneous petitions pending if any shall stand closed. No costs.

Date: 18.12.2019.

Note:

Issue CC by tomorrow.

B/o. TJMR

T.AMARNATH GOUD, J

