

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

WEDNESDAY, THE SIXTH DAY OF MAY
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO: 6694 OF 2020

Between:

Bijulal Sankhla, S/o. Mr. Babulal Shankla, Aged about 34 Years, Occ. Business,
Pror. M/s. Padmavathi Flour Mill, 8-1-207/1/2/13, Tatanagar, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, Rep by its Principal Secretary, Municipal Administration and Urban Development Department Secretariat, Hyderabad.
2. Greater Hyderabad Municipal Corporation, The Commissioner, Rajendranagar, Ranga Reddy District
3. The Deputy Commissioner, Rajenderanagar Circle 11, Greater Hyderabad Municipal Corporation, Rajendranagar, Ranga Reddy District.
4. Asst. City Planner, Rajenderanagar Circle 11, Greater Hyderabad Municipal Corporation, Rajendranagar, Ranga Reddy District.

...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 direction or order more particularly one in the nature of WRIT OF MANDAMUS by declaring the impugned notice vide Notice No.G-50/W59/TPS/CRZ/C11/GHMC/2020 Dt 21-03-2020 issued under section 452 (1) and 461 (1) of HMC Act 1955 as Null and void, illegal, arbitrary, irrational, unconstitutional and Contrary to the provisions of GHMC Act, and consequently to set aside the same.

IA NO: 1 OF 2020

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 herein not to take any coercive steps for demolishing the property of the Petitioner i.e., Plot No. 13, situated at Tatanagar, Mailardevpally, Rajender Nagar, R.R. District, in pursuance of the impugned notice vide Notice No. G-50/ W59/ TPS/ CRZ/ C11/ GHMC/ 2020 dated 21-03-2020 under section 452 (1) and 461 (1) of HMC Act 1955, by suspending the said notice, pending disposal of the present Writ Petition.

Counsel for the Petitioner: SRI. PAWAN KUMAR AGARWAL

**Counsel for the Respondent No.1: GP FOR MUNICIPAL ADMINISTRATION AND
URBAN DEVELOPMENT**

Counsel for the Respondent Nos.2 to 4: SRI. N. ASHOK KUMAR, SC FOR GHMC

The Court at the stage of admission made the following: ORDER

Heard learned counsel for the petitioner as well as Sri N. Ashok Kumar, learned Standing Counsel for the respondent – Corporation and with their consent, the Writ Petition is disposed of at the admission stage.

This Writ Petition is filed seeking a *mandamus* to the respondents not to take any coercive steps for demolishing the property of the petitioner i.e. plot NO. 13 situated at Tatanagar, Mailardevpally, Rajendra Nagar, R.R. District, pursuant to the impugned notice dated 21.03.2020.

Learned Standing Counsel points out that with regard to the unauthorised constructions made by the petitioner in violation of the orders of this Court, notices under Sections 452 and 461 of the Greater Hyderabad Municipal Corporation Act, 1955 have already been issued and the petitioner is yet to respond to the same.

In view of the above and also considering the fact that the notice was dated 21.3.2020, two weeks' time is granted to the petitioner to submit his explanation through e-mail (ID to be furnished by the learned Standing Counsel) to the Deputy Commissioner concerned of the Corporation, after consideration of which, the respondent Corporation shall pass appropriate final orders. Till then, no coercive action shall be taken against the petitioner with respect to the constructions allegedly made, without following due process of law.

The Writ Petition is accordingly, disposed of. No costs.

The miscellaneous Applications, if any shall stand closed.

Sd/- SRI JUSTICE CHALLA KODANDA RAM

//TRUE COPY//


REGISTRAR (JUDICIAL) 
SECTION OFFICER

To,

1. The Commissioner, Greater Hyderabad Municipal Corporation, Rajendranagar, Ranga Reddy District
2. The Deputy Commissioner, Rajenderanagar Circle 11, Greater Hyderabad Municipal Corporation, Rajendranagar, Ranga Reddy District.
3. The Asst. City Planner, Rajenderanagar Circle 11, Greater Hyderabad Municipal Corporation, Rajendranagar, Ranga Reddy District.
4. One CC to Sri Pawan Kumar Agarwal Advocate [OPUC]
5. Two CCs to the GP for Municipal Administration and Urban Development, High Court for the State of Telangana at Hyderabad. (OUT)
6. One CC to Sri. N. Ashok Kumar, SC FOR GHMC [OPUC]
7. Two CD Copies

CHR

HIGH COURT

CKR,J

DATED:06/05/2020

ORDER

W.P.No.6694 of 2020



DISPOSING OF THE WRIT PETITION
AT THE STAGE OF ADMISSION
WITHOUT COSTS