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

WEDNESDAY, THE TWENTY FIFTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No. 10183 OF 2019

Between:

Mohammed Nemathullah Hussaini, S/o. Mohammed Pasha Hussaini, Age. 32 years, Occ. Business, R/o. Flat No. 403, Razzak Heights, Premises No. 16-3-988/5/2, Chanchalguda, Hyderabad, T.S.

...PETITIONER

AND

1. The State of Telangana, through its Principal Secretary, Revenue Department, having office, At T.S. State Secretariat, Hyderabad.
2. The District Collector, # 5-8-505, Chirag Ali Lane, Abids, Nampally, Hyderabad - T.S. 500-001.
3. The Special Officer & Competent Authority, ULC, 3rd Floor, Chandravihar Complex, Nampally, Opposite Exhibition Grounds, Mozamjahi Market, Hyderabad, Telangana 500-001.
4. The Tahsildar, Saidabad Mandal, Champapet Rd, Vinay Nagar Colony, Central Excise Colony, New Santoshnagar, Santosh Nagar, Hyderabad, Telangana 500059.

...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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus to declare the action of the 4th Respondent in rejecting the Application No.LOP0218000013202 dated: 25.04.2019 of the Petitioner for localization of the house property bearing H.No.16-2-751/B/26, Saidabad Hyderabad and the action of the Respondent No.2 to 3 declaring to have taken possession of the same U/Sec.10 (6) of ULC Act, under Punchanama dt. 11-02-2008 vide proceedings No.J1/4104/76 dt. 17-04-2007 as illegal, arbitrary, without jurisdiction being contrary to the statutory provisions of the Urban Land (Ceiling and Regulation) Repeal, Act, 1999, (for short the Repeal Act, 1999) and violative of Articles 14, 19, 21 and 300-A of the Constitution and consequently, directing the Respondent No.4 to issue the Localization of property certificate and the Respondent No.2 to issue No Objection Certificate for the building permission in respect of the said house property of the Petitioner, by setting aside the ULC proceeding J1/4104/1976 dt. 17-04-2007 to the extent of 252 Sq. yards bearing H.No.16-2-751/B/26, Saidabad Hyderabad.

IA NO: 1 OF 2019

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 Respondent No.2 to 4 not to interfere in the peaceful possession and enjoyment of the Petitioner on the house property bearing H.No.16-2-751/B/26, Saidabad Hyderabad, pending disposal of the above writ petition.

Contd...

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 permit the petitioner to file the document i.e., the Building Permission sanction by the G.H.M.C. Dt. 10-12-2019, as additional material papers and

IA NO: 2 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 modify the order Dt. 13-07-2020 in I.A. No. 1 of 2019 in W.P. No. 10183 of 2019 by permitting the Petitioner to carry the construction work on the subject property.

IA NO: 3 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 permit the petitioner to file the document i.e., 1) Death Certificate of Late Prabhakar Rao demised on 01/11/2006 issued by GHMC 2) Photographs Dt. 07/09/2020 of the subject house property as additional material papers.

IA NO: 4 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 permit the Petitioner to file the document i.e., 1) Death Certificate of Late Prabhakar Rao demised on 01-11-2006, issued by GHMC, 2) Photographs of the subject house property Dt. 07-09-2020 as additional material papers.

Counsel for the Petitioner: SRI V. SIVA PRASAD

Counsel for the Respondents: GP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.10183 of 2019

ORDER:

The learned counsel for the petitioner has filed a letter, dated 21.11.2020 before the Registry, seeking permission of this Court to withdraw this writ petition.

2. Permission is accorded.

3. Accordingly, this writ petition is dismissed as withdrawn. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

SD/-M.RAMANA KRISHNA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri. V. Siva Prasad, Advocate [OPUC]
2. Two CCs to GP for Revenue, High Court for the State of Telangana. [OUT]
3. Two CD Copies

Prk

HIGH COURT

DATED:25/11/2020



ORDER

WP.No.10183 of 2019

Dismissing the WP.
as withdrawn
without costs.

AJ-2 (5)
8/12/2020