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

MONDAY, THE TWENTY EIGHTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO. 23919 OF 2020

Between:

Paripelli Narayana, S/o. Sayanna, Age: 52 years, Occ: Private Employee, R/o. H.No. 2-2-80, New Boyawada, Metpally village and Mandal, District: Karimnagar.

...PETITIONER

AND

1. The State of Telangana, Represented its Principal Secretary to the Municipal Administration, Secretariat Buildings, Hyderabad.
2. The Metpally Municipality, Represented by its Commissioner, Metpally proper and Mandal, Jagtial 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 an order or direction more particularly one in the nature of writ of mandamus or any other appropriate writ declaring the action of the respondent No.2 in threatening the petitioner not to proceed with the construction of the building in his plot of land admeasuring 229.84 sq. mts., in Sy.No.1333/1, situated at Metpally, while the petitioner is proceeding with his building construction in accordance with the sanctioned plan sanctioned through permit No. 3013/W20/2018/0294, dated. 18-2-2019, which is valid till 18-2-2025, is nothing but 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 the Telangana Municipalities Act. Consequently direct the respondent No.2 not to harass and not disturb in any manner in proceeding with the construction of the building of the petitioner in his plot of land admeasuring 229.84 sq. mts., in Sy.No.1333/1, situated at Metpally, while the petitioner is proceeding with his building construction in accordance with the sanctioned plan sanctioned through permit No. 3013/W20/2018/0294, dated. 18-2-2019, which is valid till 18-2-2025.

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 respondent No.2 not disturb and not intermeddle in any manner in construction of the building by the petitioner in his plot of land admeasuring 229.84 sq. mts., in Sy.No.1333/1, situated at Metpally, while the petitioner is proceeding with his building construction in accordance with the sanctioned plan sanctioned through permit No. 3013/W20/2018/0294, dated. 18-2-2019.

Counsel for the Petitioner: SRI K. VENUMADHAV

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

Counsel for the Respondent No.2: SRI N. PRAVEEN KUMAR, S.C. FOR MUNICIPALITIES

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.23919 of 2020

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Municipal Administration and Urban Development for respondent No.1, and Sri N.Praveen Kumar, learned Standing Counsel for Municipality appearing for respondent No.2. With their consent, the Writ Petition is disposed of at the stage of admission itself.

Learned counsel for the petitioner states that even though the petitioner is proceeding with the construction of building in his plot, admeasuring 229.84 square meters, in Survey No.1333/1 situated at Metpally, in accordance with the sanctioned plan *vide* permit No.3013/W20/2018/0294, dated 18.02.2019, which is valid till 18.02.2025, respondent No.2 is threatening him not to proceed with the construction.

Learned Standing Counsel, on instructions, states that the official respondents are not interfering with the construction activity undertaken by the petitioner and in case if the authorities find any deviation, they will act in accordance with the law.

In view of the above, the grievance of the petitioner stands redressed and the writ petition is disposed of directing the respondents not to interfere with the construction activity undertaken by the petitioner. However, it is made clear that in case any deviations are found, the official respondents are entitled to take action, strictly in accordance with law. It is also made clear that the petitioner shall make construction strictly in accordance with the sanctioned plan.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

SD/-K.SAILESHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary to the Municipal Administration, State of Telangana, Secretariat Buildings, Hyderabad.
2. The Commissioner, Metpally Municipality, Metpally proper and Mandal, Jagtial District.

3. One CC to Sri K. Venumadhav, Advocate [OPUC]
4. Two CCs to GP for Municipal Administration and Urban Development, High Court for the State of Telangana at Hyderabad. [OUT]
5. One CC to Sri N. Praveen Kumar, S.C. For Municipalities (OPUC)
6. Two CD Copies.

MP



HIGH COURT

DATED:28/12/2020



ORDER

WP.No.23919 of 2020

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

05/01/2021.