

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

FRIDAY, THE THIRTIETH DAY OF DECEMBER  
TWO THOUSAND AND TWENTY ONE

**PRESENT**

**THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER**

**WRIT PETITION NO: 36679 OF 2021**

**Between:**

Mr. Abdul Subhan Khan, S/o Late Abdul Mannan Khan Age about 45 years, Occ Business, R/o 22-6-672/1/1, Mir Alam Mandi, Hyderabad,

**...PETITIONER**

**AND**

1. The State of Telangana, Rep through its Principal Secretary, Municipal Administration Having Office at T.S. Secretariat, Hyderabad.
2. The Greater Hyderabad Municipal Corporation of Hyderabad, Rep. by its Commissioner, O/o. Lower Tankbund, Hyderabad
3. The Zonal Commissioner, Circle 11, Rajendra Nagar Circle Greater Hyderabad Municipal Corporation of Hyderabad Hyderabad.
4. The Assistant City Planner (Town Planning), Circle 11, Rajendra Nagar Circle Greater Hyderabad Municipal Corporation of Hyderabad Hyderabad.
5. Rasheed Ahmed Khan, S/o Ahmed Khan Age about 45 years, Occ Business, R/o 8-13-140/208/A, Kings Colony, Shashtripuram, Rajendra Nagar

**...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 any appropriate Writ, Order or direction preferably Writ of Mandamus, declaring the inaction of the Official Respondents in not taking any action on the representations of the Petitioner Dt. 12th December 2021, with regard to the illegal Construction made by the unofficial respondent No.5, in Property Bearing No 8-13-140/208/A, Kings Colony, Shastripuram, Rajendranagar Mandal, R.R. District, T.S., as being illegal, contrary to the Rules and Regulations of the GHMC Act and also Violative of Articles 14 and 300-A of the Constitution of India and consequently direct the Official respondents No.3 and 4, to forthwith stop and demolish the said illegal and unauthorized construction made by the Respondents No.5.

**IA NO: 1 OF 2021**

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 Official respondents No.3 and 4 to forthwith stop and demolish the illegal and unauthorized construction made by the unofficial respondent N.5 in property bearing No 8-13-140/208/A, Kings Colony, Shastripuram, Rajendranagar Mandal, Ranga Reddy District, T.S., pending disposal of the above Writ petition.

Counsel for the Petitioner: SRI MUSTAFA BASITH

Counsel for the Respondent No. 1: GP FOR MCPL ADMN URBAN DEV

Counsel for the Respondent Nos. 2 to 4: PASHAM KRISHNA REDDY,  
SC FOR GHMC

The Court made the following: ORDER

**THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER**

**WRIT PETITION No.36679 OF 2021**

**ORDER:**

The petitioner herein seeks a writ of Mandamus declaring the inaction of the official respondents in taking any action on the representation of the petitioner, dated 12.12.2021, with regard to the illegal construction made by the unofficial respondent No.5 in the property bearing No.8-13-140/208/A, Kings Colony, Shastripuram, Rajendranagar Mandal, R.R.District, as arbitrary, illegal and consequently, direct the official respondent Nos.3 and 4, to forthwith stop and demolish the said illegal and unauthorized construction made by unofficial respondent No.5 over the said property.

2. Heard the learned counsel for the petitioner, learned Government Pleader for Municipal Administration & Urban Development, appearing for respondent No.1, Sri Pasham Krishna Reddy, learned Standing Counsel for GHMC, appearing for respondent Nos.2 to 4 and perused the record.

3. Learned counsel for the petitioner would submit that without obtaining valid building permission from the official respondents, the unofficial respondent No.5 is illegally raising structures over the subject premises without leaving setbacks. The petitioner submitted a representation on 12.12.2021 to the respondent-Corporation to take action against unofficial respondent No.5 and to demolish the illegal structures. However, no action has been taken on the said representation so far and ultimately, prayed this Court to issue a direction to the official

respondents act upon the said representation, dated 12.12.2021, expeditiously.

4. On the other hand, learned Standing Counsel for GHMC, on instructions, would submit that already a notice under Section 452 (1) and 461 of the Greater Hyderabad Municipal Corporation Act, 1955 was issued to the unofficial respondent No.5 and after receipt of reply to the said notice, the respondent-Corporation is contemplating to take further action in the matter, in accordance with law.

5. Since it is brought to the notice of this Court that pursuant to the representation, dated 12.12.2021, filed by the petitioner, the official respondents Nos.2 to 4 have already initiated action against the unofficial respondent No.5 in relation to the allegations made in the Writ Petition, no further orders are required to be passed in this Writ Petition.

6. With the above observations, this Writ Petition is disposed of. No costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

SD/-K.ONESIM  
ASSISTANT REGISTRAR

//TRUE COPY//

  
SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration State of Telangana, Having Office at T.S. Secretariat, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation of Hyderabad, O/o. Lower Rankbund, Hyderabad
3. The Zonal Commissioner, Circle 11, Rajendra Nagar Circle Greater Hyderabad Municipal Corporation of Hyderabad Hyderabad.
4. The Assistant City Planner (Town Planning), Circle 11, Rajendra Nagar Circle Greater Hyderabad Municipal Corporation of Hyderabad Hyderabad.
5. One CC to SRI MUSTAFA BASITH Advocate [OPUC]
6. Two CCs to GP FOR MCPL ADMN URBAN DEV, High Court for the State of Telangana at Hyderabad [OUT]
7. One CC to SRI PASHAM KRISHNA REDDY, SC FOR GHMC Advocate [OPUC]
8. Two C.O Copies.

HIGH COURT

DATED:30/12/2021

ORDER

WP.No.36679 of 2021



DISPOSING OF THE WRIT PETITION  
WITHOUT COSTS.

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*[Signature]*  
29/02/2022