

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

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

PRESENT

THE HON'BLE SMT JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO: 15591 OF 2022

Between:

Peram Srinivas, S/o Sri Peram Beeraiah, aged 31 years, Occ. Business,
R/o. H. No. 9-5-70/18/113/1, Anjaiah Nagar, Hasmathpet Village, Balnagar
Mandal, Medchal-Malkajgiri District

...PETITIONER

AND

1. The Greater Hyderabad Municipal Corporation, Represented by its
Commissioner, Tank Bund Road, Hyderabad.
2. The Deputy Commissioner, GHMC Circle No. 24, Kukatpally.

...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 order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in threatening to demolish the petitioner's property without following the due process of law as illegal, arbitrary.

IA NO: 1 OF 2022

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 demolish any structure over the petitioner's property i.e., All that House Bearing. No.9-5-70/18/113/1, Situated at Anjaiah Nagar Hasmathpet Village, Balanagar Mandal, under GHMC Kukatpally Circle, Medchal-Malkajgiri District.

Counsel for the Petitioner : SRI D. MADHAVA RAO

**Counsel for the Respondents: SRI Sampath Prabhakar Reddy,
SC FOR GHMC**

The Court made the following: ORDER

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION No.15591 of 2022

ORDER:

This writ petition is filed questioning the action of the respondents in threatening to demolish the petitioner's property without following the due process of law as illegal and arbitrary.

2. Learned counsel for the petitioner submits that petitioner has obtained building permission and basing on that, he is making construction and without any prior notice, the respondents were coming to the site and interfering with the construction activities. As such, the petitioner is constrained to approach this court by filing the present writ petition.

3. Mr. Sampath Prabhakar Reddy, Learned Standing Counsel for GHMC - respondent Nos.1 and 2 submits that the building permission granted vide proceedings dated 22.01.2022 in favour of the petitioner is revoked and petitioner has not questioned the said revocation order. He submits that the said revocation is without issuing any notice to the petitioner. Learned counsel for petitioner also relied on the order dated 13.12.2021

passed by this court in Writ Petition Nos.20398, 20435, 21004, 22496, 22549, 27801, 28146, 29019, 29200 and 32665 of 2021.

4. In the light of the observations made by the Coordinate Bench of this court passing of the revocation order without notice is bad in law. Admittedly, in this case, the revocation order is passed by the respondents without issuing any notice to the petitioner. The learned counsel for petitioner submits that the petitioner may be given liberty to question the revocation order.

5. Accordingly, this writ petition is disposed of directing the respondents not to take any coercive steps in respect of petitioner's property i.e. House bearing No.9-5-70/18/ 113/1, situated at Anjaiah Nagar, Hasmathpet Village, Balanagar Mandal, Under GHMC Kukatpally Circle, Medchal-Malkajgiri District. The petitioner at liberty to question the revocation order

within a period of two weeks from today. No order as to costs.

Miscellaneous petitions, if any pending in this writ petition shall stand closed.

SD/-K.AMMAJI
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund Road, Hyderabad.
2. The Deputy Commissioner, GHMC Circle No. 24, Kukatpally
3. One CC to M/s. D. Madhava Rao, Advocate [OPUC]
4. One CC to Sri Sampath Prabhakar Reddy, SC for GHMC [OPUC]
5. Two CD Copies
6. One Spare Copy

Sm
SB

2

HIGH COURT

DATED:28/03/2022



ORDER

WP.No.15591 of 2022

DISPOSING OF THE WP
WITHOUT COSTS

⑨
PM
20/5