

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY TWO
PRESENT

THE HON'BLE SMT JUSTICE LALITHA KANNEGANTI
WRIT PETITION NO: 20420 OF 2022

Between:

Mohd. Shoukath Ali Khan, S/o. Late Mohd. Ali Khan, Occ. Business, R/o. H. No. 16-11-417/A, Moosarambagh, Hyderabad.

...Petitioner

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation of Hyderabad, GHMC Building, Near Tankbund, Hyderabad.
3. The Deputy Commissioner, Malakpet, Circle - VI, Charminar Division, Greater Hyderabad Municipal Corporation of Hyderabad.
4. Mr. Naimath Khan, S/o. Late Mohd. Ali Khan, Aged about 44 years, Occ. Business, R/o. H. No. 16-11-417/A, Moosarambagh, Hyderabad.

...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 inaction of the Respondents No. 2 and 3 in considering the representation dt. 02/03/2022 to take action against the unauthorized / illegal construction in a part at house bearing Municipal No. 16-11-417/A, situated at Moosarambagh, Hyderabad, which is allotted to 4th Respondent as illegal, irregular, and against the principles of natural justice and contrary to the provisions of the GHMC Act, 1955 and offends the Art. 14, 21 and 300-A of the Constitution of India and consequentially direct the Respondent No. 2 and 3 to take legal action against the illegal construction in a part at house bearing Municipal No. 16-11-417/A, situated at Moosarambagh, Hyderabad, which is allotted to 4th Respondent by considering the Petitioner's representation dt. 02/03/2022,

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 issue a direction to Respondents No. 2 to 4 to stay all further proceedings including the construction over the B-Schedule middle portion at house bearing Municipal No. 16-11-

THE HONORABLE SMT JUSTICE LALITHA KANNEGANTI

W.P.No.20420 of 2022

ORDER

This writ petition is filed questioning the action of respondent Nos.2 and 3 in not considering the representation of petitioner dated 02-03-2022, made against the unauthorized/illegal construction made in a part of house bearing Municipal No.16-11-417/A, situated at Moosarambagh, Hyderabad, which is allotted to respondent No.4, as illegal and arbitrary.

2. Heard learned counsel for the petitioner Mr. K. Sangannaidu, learned Government Pleader for Municipal Administration and Urban Development for respondent No.1 and learned Standing Counsel for respondent Nos.2 and 3 Mr. Pasham Krishna Reddy.

3. Learned counsel for the petitioner submits that the petitioner has made a representation dated 02.03.2022 to respondent Nos.2 and 3 with regard to the unauthorised construction made by respondent No.4, but they failed to take any action and hence, he is constrained to approach this Court.

4. Learned Standing Counsel for respondent Nos.2 and 3 submits that the respondent-Corporation will consider the representation of petitioner and pass appropriate orders in accordance with law.

5. Recording the submission of the learned Standing Counsel, the Writ Petition is disposed of, directing respondent Nos.2 and 3 to consider the representation of petitioner dated 02-03-2022 and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

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

SD/-P.PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

GPB

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, State of Telangana, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation of Hyderabad, GHMC Building, Near Tankbund, Hyderabad.
3. The Deputy Commissioner, Malakpet, Circle - VI, Charminar Division, Greater Hyderabad Municipal Corporation of Hyderabad,
4. One CC to SRI. K Sangan Naidu Advocate [OPUC]
5. One CC to SRI. Pasham Krishna Reddy (SC) [OPUC]
6. Two CCs to GP For MCPL ADMN URBAN DEV, High Court for the State of Telangana. [OUT]
7. Two CD Copies

HIGH COURT
DATED:22/04/2022



ORDER

WP.No.20420 of 2022

WRIR PETITION IS DISPOSED OF WITHOUT COSTS.



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