

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

**FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO: 23080 OF 2022

Between:

A Shiva Reddy, S/o. Venkat Narsimha Reddy, Aged 66 years, Occ. Business,
R/o. H. No. 2-10-1814/1, Bhagyanagar, Karimnagar Town And District

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration, Secretariate Building, Saifabad - Hyderabad
2. The Karimnagar Municipal Corporation, Rep by its Commissioner Karimnagar Town and 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 writ or order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the 2nd Respondent in interfering with the construction compound wall around his agricultural land admeasuring Acres 0-31 Guntas in Sy. No. 73 and 82 situated at Rekurthy Village of Kothapelly Mandal, Karimnagar District within the limits of Karimnagar Municipal Corporation without any notice is bad, illegal, arbitrary, void, and against the principles of natural justice as well as violation of Articles 21 and 300-A of the constitution of India consequently direct the Respondent No. 2 to Not to interfere with construction of compound wall around his aforementioned agricultural land without due process of law.

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 direct the Respondent No. 2 not to interfere with the construction of compound wall around his aforementioned agricultural land without due process of law pending disposal of this Writ Petition.

Counsel for the Petitioner: SRI. VEMUGANTI MAHESH KUMAR

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

Counsel for the Respondent No.2: SRI.V. SATYAM REDDY, SC FOR GHMC

The Court made the following: ORDER

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION No.23080 of 2022

O R D E R:

This writ petition is filed questioning the action of respondent No.2 in interfering with the construction of compound wall by the petitioner around his agricultural land admeasuring Ac.0.31Guntas in survey No.73 and 82 situated at Rekurthy Village of Kothapelly Mandal, Karimnagar District.

2. Mr. Mahesh Kumar Vemuganti, learned counsel for the petitioner submits that the petitioner is the owner of subject land and he is constructing a compound wall and the respondent Corporation has nothing to do with the said land. He submits that even if the subject land comes within the municipality limits, the respondents have to issue a notice to the petitioner before interfering and then only has to take any action.

3. Mr. V. Satyam Reddy, learned Standing Counsel for the Municipalities – Respondent No.2 submits that petitioner without obtaining any permission has been constructing the compound wall. Hence, they have stopped the petitioner from constructing the compound wall.

4. Recording the submission of the learned Standing

Counsel, this Writ Petition is disposed of directing the respondents not to interfere with the petitioner's possession in respect of the subject land without following the due process of law. No order as to 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, Secretariat Building, Saifabad - Hyderabad
2. The Commissioner Municipal Corporation, Karimangar Town and Karimnagar District
3. One CC to SRI. VEMUGANTI MAHESH KUMAR Advocate [OPUC]
4. One CC to SRI. V. SATYAM REDDY, SC FOR MUNICIPAL CORPORATION, KARIMNAGAR [OPUC]
5. Two CCs to GP FOR MCPL ADMN URBAN DEV, High Court for the State of Telangana at Hyderabad at Hyderabad. [OUT]
6. Two CD Copies
7. One Spare Copy

GMN

[Signature]

HIGH COURT

LK, J

DATED:29/04/2022



ORDER

WP.No.23080 of 2022

DISPOSING OF THE WP
WITHOUT COST

9
14/6/22
HVS