

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

MONDAY ,THE THIRTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO: 25218 OF 2022

Between:

Mr. Mohd Ghouse, S/o. Mohd Khaja, Aged 57 Years, Occ.Business R/o.
H.No. 11-4-179 and 11-4-180, Chilkaiguda, Secunderabad,

...PETITIONER

AND

1. The State of Telangana, Represented by its Principal Secretary, MA and UD department, O/o GHMC office, Near Tank Bund, Hyderabad-500029.
2. The Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, O/o. GHMC office, Near Tank Bund, Hyderabad-500063.
3. The Deputy Commissioner, GHMC, North Zone, Circle No.29, Near City Civil Court, West Marredpally, Secunderabad.
4. The Asst. City planner, Town planning section, GHMC, Circle No.29, Secunderabad
5. Mr. Mohammed Zikriya Qureshi, S/o. Late Mohammed Shafi, Aged 23 years, Occ. Private Employee, R/o.-H.No. 11-4-178/1/1,KindiBasti, Chilkaiguda, Secunderabad, Telangana

...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, Direction more particularly in the nature of Writ of Mandamus declaring the inaction of the official respondent No.1 to 4 herein on the representation dt. 14.03.2022 made by the petitioner, against the illegal, unlawful, un-authorized constructions by demolishing old structure and in the process raising G plus 2 floors and third floor of ACC sheets by encroaching the common passage lane on alleged premises in the property bearing H.No. 11-4-178/1/1,KindiBasti, Chilkaiguda, Secunderabad by the respondent No.5 as being illegal, arbitrary and violative of Article 14 of Constitution of India and consequently directing the respondent No. 1 to 4 herein to take an appropriate legal action against respondent No.5 on illegal, unlawful un-authorized constructions raising in G plus 2 floors and third floor of ACC sheets by encroaching the common passage lane on alleged premises in the property bearing H.No.11-4-178/1/1,KindiBasti,Chilkaiguda, Secunderabad.

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. 1 to 4 herein not to entertain any construction activity in and over property bearing H.No. 11-4- 178/1/1,KindiBasti, Chilalguda, Secunderabad by encroaching the common passage lane herein in the interest of Justice.

Counsel for the Petitioner:SRI. RAMISETTI NAGA HEMANAND

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

Counsel for the Respondent No's. 2 to 4:SRI. CHATLA MADHU (SC FOR GHMC)

Counsel for the Respondent No.5:NONE APPEARED

The Court made the following: ORDER

THE HONORABLE SMT JUSTICE LALITHA KANNEGANTI

W.P.No.25218 of 2022

ORDER

This writ petition is filed questioning the action of the official respondent Nos.1 to 4 in not considering the representation of petitioner 14-03-2022 for removal of unauthorized constructions raised by the unofficial respondent No.5 by raising Ground + 2 floors and third floor of ACC sheets and encroaching the common passage lane on the alleged premises in the property bearing H.No.11-4-178/1/1, Kindibasti, Chilkaiguda, Secunderabad, as illegal and arbitrary.

2. Heard learned counsel for the petitioner Mr. R.N.Hernanand, learned Government Pleader for Municipal Administration and Urban Development for respondent No.1 and Mr. Chatla Madhu, learned Standing Counsel for respondent Nos.2 to 4.

3. Learned counsel for the petitioner submits that the petitioner has given a representation to the official respondents on 14-03-2022 to remove the illegal constructions raised by the unofficial respondent and in spite of the said representation, no action has been initiated by the respondents and hence, he has come up before this Court.

4. Learned Standing Counsel for respondent Nos.2 to 4 submits that the respondent Corporation will consider the representation of

petitioner dated 14-03-2022 and pass appropriate orders in accordance with law.

5. Recording the submission of the learned Standing Counsel, the Writ Petition is disposed of directing the official respondents to consider the representation of petitioner dated 14-03-2022 and take appropriate decision within a period of six weeks from the date of receipt of a copy of this order. No order as to costs.

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

SD/-N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, MA and UD department, State of Telangana, O/o GHMC office, Near Tank Bund, Hyderabad-500029.
2. The Commissioner, Greater Hyderabad Municipal Corporation, O/o. GHMC office, Near Tank Bund, Hyderabad-500063.
3. The Deputy Commissioner, GHMC, North Zone, Circle No.29, Near City Civil Court, West Marredpally, Secunderabad.
4. The Asst. City planner, Town planning section, GHMC, Circle No.29, Secunderabad
5. One CC to SRI. RAMISETTI NAGA HEMANAND Advocate [OPUC]
6. Two CCs to GP FOR MCPL ADMN URBAN DEV, High Court for the State of Telangana. [OUT]
7. One CC to SRI. CHATLA MADHU (SC FOR GHMC), Advocate [OPUC]
8. Two CD Copies.
9. One Spare Copy.

GB
BS

[Signature]

HIGH COURT

DATED:13/06/2022



ORDER

WP.No.25218 of 2022

DISPOSING OF THE WP
WITHOUT COSTS.

M/KC
10-8-22 (11)