

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

WEDNESDAY, THE TWENTY SEVENTH DAY OF JULY  
TWO THOUSAND AND TWENTY TWO

**PRESENT**

**THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI**

**WRIT PETITION NO: 30721 OF 2022**

**Between:**

Smt. G.Sarojana, W/o. G.Krishna, Aged about 50 years , Occ.- Housewife,  
R/o. H-No3-1-131/1, Mallapur Village, Uppal Mandal, Medchal Malkajgiri  
District.

...PETITIONER

**AND**

1. The State of Telangana, Municipal Administration and Urban Development Department, Rep. by its Principal Secretary, Secretariat, Hyderabad.
2. The Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Tank Bund Road, Hyderabad.
3. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Kapra Circle, Kapra, Hyderabad.
4. Thimmapagari N. Srinivasulu Reddy, S/o. T. Narayana Reddy, aged about 58 years,
5. T.Thriveni, W/o. Thimmapagari N. Srinivasulu Reddy, Aged about 50 years, Respondent Nos. 4 and 5 are R/o H-No.6-A, Rajasree Residency, S.R. Nagar, 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 an appropriate writ, order or direction more particularly one in the nature of writ of mandamus to declare the action of the Respondent Nos.2&3 in not cancelling the permission granted in favour of the Respondent Nos.4 &5, vide Permission No.2/C1/09200/2021, dated 18.8.2021, despite receipt of the complaint dated 19.5.2022 from the Petitioner, which was received by them on 20.5.2022, as arbitrary, illegal and contrary to settled principles of law and consequently set aside the permission granted by the Respondent No.2 in favour of the Respondent Nos.4 and 5, vide Permission No.2/C1/09200/2021, dated 18.8.2021.

**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 to consider the Representation / Complaint dated 19.5.2022 submitted by the Petitioner, which was received on 20.5.2022

**Counsel for the Petitioner: SRI. GADDAM SRINIVAS**

**Counsel for the Respondent No. 1: GP FOR MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT**

**Counsel for the Respondent Nos. 2 & 3: SRI. SAMPATH PRABHAKAR REDDY  
SC FOR GHMC**

**Counsel for the Respondent Nos. 4 & 5: NONE APPEARED**

**The Court made the following:**

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION No.30721 of 2022

ORDER:

This Writ Petition is filed questioning the action of respondent Nos.2 and 3 in not cancelling the permission granted in favour of respondent Nos.4 and 5 vide permission No.2/C.1/09200/2021 dated 18-8-2021 despite receipt of the complaint dated 19-05-2022 from the petitioner as illegal and arbitrary.

2. Learned counsel for the petitioner Sri Gaddam Srinivas submits that the petitioner has given a representation to the Commissioner and the Deputy Commissioner dated 19-05-2022 stating that the unofficial respondent Nos.4 and 5 have obtained permission by misrepresentation of facts and to cancel the same. He submits that in spite of the said representation, no action has been initiated by the respondents. He further submits that under Section 450 of Greater Hyderabad Municipal Corporation Act, 1955, the respondents are bound to consider the representation when it is stated that the permission is obtained by suppression and misrepresentation of facts.

3. Learned Standing Counsel for respondent Nos.2 and 3 Sri Sampath Prabhakar Reddy submits that though the petitioner has made representations to the Commissioner and the Deputy Commissioner, as per the acknowledgment, it is given to the Town

---

Planning Section. He submits that the competent authority to consider the representation of petitioner is the Commissioner and the petitioner has to give a representation to the Commissioner.

4. Accordingly, the Writ Petition is disposed of directing the petitioner to submit a copy of the representation to the Commissioner, GHMC, Hyderabad, within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the respondent Corporation, after issuing a notice to the unofficial respondent Nos.4 and 5, shall pass orders in accordance with law within a period of four weeks thereafter. As no notice was issued to the unofficial respondent Nos.4 and 5, this Court is directing the official respondents to issue notice to the unofficial respondent Nos.4 and 5 before passing any orders. No order as to costs.

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

SD/- I. NAGALAKSHMI  
DEPUTY REGISTRAR

SECTION OFFICER

//TRUE COPY//

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, State of Telangana, Secretariat, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund Road, Hyderabad.
3. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Kapra Circle, Kapra, Hyderabad.
4. One CC to Sri. Gaddam Srinivas, Advocate [OPUC]
5. One CC to Sri.Sampath Prabhakar Reddy, SC for GHMC [OPUC]
6. Two CCs to GP for Municipal Administration & Urban Development, High Court for the State of Telangana. [OUT]
7. Two CD Copies.
8. One Spare Copy

PM  
GJP

HIGH COURT

DATED:27/07/2022

ORDER

WP.No.30721 of 2022



Disposing of the WP  
without costs.

10  
*[Signature]*  
02/08/2022