

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

**MONDAY, THE FIRST DAY OF AUGUST
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO: 31237 OF 2022

Between:

Nunavath Chinna Shankar, S/o. Sri Lalu, aged about 49 years, Occ:
agriculture, r/o Palakoya Thanda, Palvoncha Mandal, Bhadadri Kothagudem
District

...PETITIONER

AND

1. The State of Telangana, rep by Prl secretary, Municipal administration and Urban development Department, Secretariate, Hyderabad.
2. The Palwancha Municipal Corporation, Rep by its commissioner, Kothagudem.
3. The Commsioner and Inspector General Stamp and Registration, Department Secretariate, BRKR Bhavan, Hyderabad.
4. The Dist Registrar, Khammam.
5. The Sub Registrar Kothagudem, Bhadari Kothagudem.
6. The State of Telangana, rep Director of Town and Country Planning DT and CP Bhavan 640 Ac Guards, Hyderabad 500 04
7. Sri Konidena Jayanth, S/o Sri Purnachander Rao aged 48 years, Occ: Buisness, r/o 8-2-11 Gattigudem area Plavanch Town and Mandal Bhadadri Kothagudem Dist.

...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 in the nature of writ of Mandamus U/Art 226 of Constitution of India declaring the action of the respondent No 6 in not fixing a date for hearing and considering the representation/appeal of the petitioner dt 04/06/2022 as illegal, arbitrary and against the principles of natural Justice and consequently direct the respondent 6 to consider and dispose off the representation/appeal dt 04/06/2022 made by the petitioner to cancel the layout permission Plan No 005545/LO/DTP/3022/0020/2021 dt 18/04/2022 issued in favour of the respondent No 7 at the earliest.

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 5 SRO not to entertain any registration in respect of the plots covered under the layout permission Plan No 005545/LO/DTP/3022/0020/2021 dt 18/04/2022 pending disposal of the appeal/representation pending before the respondent No 6 (director Town and Country Planning).

IA NO: 2 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 6 to fix an early date for hearing the representation/appeal dt 04/06/2022 made by the petitioner to cancel the layout permission Plan No 005545/LO/DTP/3022/0020/2021 dt 18/04/2022 issued in favour of the respondent No 7 at the earliest and pass such other in the interest of Justice pending disposal of the above writ petition.

Counsel for the Petitioner:SRI. T.SHARATH

Counsel for the Respondent No's. 1 & 6: GP FOR MCPL ADMN URBAN DEV

Counsel for the Respondent No.2:SRI N.PRAVEEN KUMAR (SC FOR MC)

**Counsel for the Respondent No's.3 to 5:GP FOR REVENUE / STAMPS AND
RTEGISTRATIONS**

Counsel for the Respondent No.7:NONE APPEARED

The Court made the following: ORDER

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION No.31237 of 2022

ORDER:

This writ petition is filed seeking the following relief:

" ... to issue a writ, order or direction more in the nature of writ of Mandamus U/Art 226 of Constitution of India declaring the action of the respondent No.6 in not fixing a date for hearing and considering the representation/appeal of the petitioner dt.04.06.2022 as illegal arbitrary and against the principles of natural Justice and consequently direct the respondent 6 to consider and dispose off the representation/appeal dt.04.06.2022 made by the petitioner to cancel the layout permission Plan No. 005545/LO/DTP/3022/0020/2021 dt.18.04.2022 issued in favour of the respondent No.7 at the earliest and pass such other in the interest of Justice and to pass such other order or orders as this Hon'ble Court may deems fit just and proper in the circumstances of the case."

2. Sri Sharath Tadakamalla, learned counsel for the petitioner, submits that the petitioner gave a representation on 04.06.2022 and in spite of the said representation, no action has been taken. He submits that this inaction of the official respondents is arbitrary.
3. Sri N.Praveen Kumar, learned Standing Counsel, submits that the official respondents will consider the representation of the petitioner dated 04.06.2022 and pass appropriate orders.

4. Recording the submission of learned Standing Counsel, this Writ Petition is disposed of directing the Commissioner to take appropriate action on the representation of the petitioner dated 04.06.2022, within a period of three weeks from the date of receipt of a copy of this order.

Miscellaneous applications, pending if any, shall stand closed.

SD/- G. SIREESHA
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The Pri secretary, Municipal administration and Urban development Department, State of Telangana, Secretariate, Hyderabad.
2. The Commissioner, Palwancha Municipal Corporation, Kothagudem.
3. The Commisioner and Inspector General Stamp and Registration, Department Secretariate BRKR Bhavan Hyderabad
4. The Dist Registrar, Khammam
5. The Sub Registrar Kothagudem, Bhadari Kothagudem
6. The Director of Town and Country Planning DT and CP, State of Telangana, Bhavan 640 Ac Guards Hyderabad 500 04
7. One CC to SRI. T.SHARATH Advocate [OPUC]
8. Two CCs to GP FOR MCPL ADMN URBAN DEV, High Court for the State of Telangana. [OUT]
9. One CC to SRI N.PRAVEEN KUMAR (SC FOR MC), Advocate [OPUC]
10. Two CCs to GP FOR REVENUE, High Court for the State of Telangana. [OUT]
11. Two CD Copies.
12. One Spare Copy.

GB
GJP

[Handwritten signature]

HIGH COURT

DATED:01/08/2022

ORDER

WP.No.31237 of 2022



DISPOSING OF THE WP
WITHOUT COSTS.

15
12/9/22
JL*