

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

THURSDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO: 28784 OF 2021

Between:

1. E. Jupiter, S/o late G.L. Devadanam, Aged about 65 years, Occ. Business, R/o H. No. 5-8-54, Sagar Housing Complex, Vanasthalipuram, Hyderabad.
2. G. Devadanam Vasanth Kumar, S/o late G.L. Devadanam, Aged about 60 years, Occ. Business, R/o H. No. 3-5-28, Krishna Nagar Colony, Moula Ali, Hyderabad.

...PETITIONERS

AND

1. The State of Telangana, Reptd by its Principal Secretary, Municipal Administration, Secretariat, Hyderabad.
2. The Jawaharnagar Municipal Corporation, Rep by its Commissioner, Ranga Reddy District.
3. Bikshapathi Goud, S/o not known to the petitioners Herein, aged about 60 years, Occ. Business, R/o Krishna Nagar Colony, Moula Ali, 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 any writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the 2nd respondent herein for not considering the petitioners representation dated 06-03-2021 and 6-4-2021 made against the 3rd respondent herein who without any right and authority is proceeding with his unauthorized construction in Survey No. 430, on an extent of Ac 05-00 dry land situated at Chennapur village, Jawahar Nagar, Kapra Mandal, R.R. District which in fact belongs to the petitioners father herein given to him under ex-servicemen quota, as is illegal and arbitrary. Consequently direct the 2nd respondent to stop the ongoing construction being made by the 3rd respondent herein who without any right and authority is proceeding with his unauthorized construction in Survey No. 430, on an extent of Ac 05-00 dry land situated at Chennapur village, Jawahar Nagar, Kapra Mandal, R.R. District which

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in fact belongs to the petitioners father herein given to him under ex-servicemen quota.

IA NO: 2 OF 2021

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 permit the petitioners to carry out correction of mistake i.e., occurred in mentioning 'Respondent No. 2 showing it as 'Greater Hyderabad Municipal Corporation' rep by its Deputy Commissioner, Kapra, Jawahar Nagar Municipality, R.R. District' instead of 'The Jawahar Nagar Municipal Corporation, Rep by its Commissioner, R.R. District' in the instant writ petition i.e., W.P. No. 28784 of 2021 in the interest of justice.

IA NO: 1 OF 2021

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 2nd respondent to stop the ongoing construction being made by the 3rd respondent herein who without any right and authority is proceeding with his unauthorized construction in Survey No. 430, on an extent of Ac 05-00 dry land situated at Chennapur village, Jawahar Nagar, Kapra Mandal, R.R. District which in fact belongs to the petitioners father herein given to him under ex-servicemen quota, pending disposal of main writ petition.

Counsel for the Petitioners: SRI. V DURGA NAGESWARA RAO

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

**Counsel for the Respondent No.2: SAMPATH PRABHAKAR REDDY
SC FOR GHMC**

Counsel for the Respondent No.3: NONE APPEARED

The Court made the following: ORDER

THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI

W.P.No.28784 of 2021

ORDER

This writ petition is filed seeking to declare the action of respondent No.2 in not considering the representations of petitioners dated 06-03-2021 and 06-04-2021 made against respondent No.3, who is proceeding with unauthorized construction in the land to an extent of Ac:05-00 gts in Sy.No.430, situated at Chennapur Village, Jawahar Nagar, Kapra Mandal, Ranga Reddy District, as illegal and arbitrary.

2. Heard learned counsel for the petitioner Mr. V. Durga Nageswara Rao, learned Government Pleader for Municipal Administration and Urban Development for respondent No.1 and learned Standing Counsel Mr. N. Praveen Kumar for respondent No.2.

3. Learned counsel for the petitioner submits that though the petitioner has made representations to respondent No.2, he failed to take any action and hence, he is constrained to approach this Court.

4. Learned Standing Counsel for respondent No.2 submits that respondent No.2 will consider the representations of the petitioner and take appropriate action in accordance with law.

5. Recording the submission of the learned Standing Counsel, this Writ Petition is disposed of, directing respondent No.2 to consider the representations of petitioner dated 06-03-2021 and 06-04-2021 within a

period of four 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.

//TRUE COPY//

SD/- L.LAKSHMI BABU
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration, Secretariat, State of Telangana Hyderabad.
2. The commissioner, Jawaharnagar Municipal Corporation, R.R District.
3. Bikshapathi Goud, R/o Krishna Nagar Colony, Moula Ali, Hyderabad.
4. One CC to SRI. V DURGA NAGESWARA RAO Advocate [OPUC]
5. Two CCs to GP FOR MCPL ADMN URBAN Development, High Court for the State of Telangana at Hyderabad. [OUT]
6. One CC to SRI. SAMPATH PRABHAKAR REDDY (SC FORGHMC) [OPUC]
7. Two CD Copies
8. One Spare copy

SDR



HIGH COURT

DATED: 21/04/2022



ORDER

WP.No.28784 of 2021

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

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10/06/2022
02/6/2022