

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

**THURSDAY, THE TWENTY SECOND DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HON'BLE SMT JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO: 36744 OF 2022

Between:

Mandala Kishan Reddy, S/o Late Laxma Reddy, Aged about 50 years, Occ. Agriculture, R/o H.No.1-25, Rangampalli Village, Peddapalli Mandal and District, Telangana.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration Department, Secretariat Buildings, Hyderabad.
2. The Peddapalli Municipality, Rep. by Its Commissioner, Peddapalli.
3. Sama Thirupathi, S/o Cheralu, Aged about 42, Occ. Business, R/o H.No.2-54/7, Kolanoor Village, Odela Mandal, Peddapalli District.
4. Guda Kishan Reddy, S/o Ram Reddy, Aged about 48 years, Occ. Business, R/o H.No.4-2-134/10, Near Srinivasa Theatre, Peddapalli.
5. Gogu Rajaiah, S/o Bhumaiah, Aged about 40 years, Occ. Business, R/o H.No.1-35, Thurkalamaddikunta Village, Peddapalli Mandal and District.
6. Tandra Sadaiah, S/o Mudunaiah Aged about 41 years, Occ. Business, R/o H.No.1-1, S.C. Colony, Cheekurai Village, Peddapalli Mandal 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 a Writ order or direction more particularly one in the nature of Writ of Mandamus, by declaring action of the 2nd respondent in not considering the representation dt.18/07/2022 made by the petitioner for taking necessary action against the respondents 3 to 6 in making construction illegally in the land in Sy.No.23/b/1 to an extent of Ac.0-15 gts., situated at Rangampalli Village, Peddapalli Mandal and District belonging to the petitioner and against the

permissions granted to the respondents 3 to 6 as being arbitrary, illegal and violative of principles of natural justice and contrary to the provisions of the Telangana Municipalities Act, 2019 and consequently direct the 2nd respondent to take necessary action against the respondents 3 to 6 on the representation made by the petitioner dt.18/07/2022 for illegal constructions being made by the respondents 3 to 6.

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 2nd respondent forthwith to take necessary action against the respondents 3 to 6 for illegal construction in the land in Sy.No.23/b/1 to an extent of Ac.0-15 gts., situated at Rangampalli Village, Peddapalli Mandal and District belonging to the petitioner, pending disposal of the main writ petition.

Counsel for the Petitioner: SRI D. BHASKAR REDDY

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

**Counsel for the Respondent No.2: SRI N. PRAVEEN KUMAR,
S.C. FOR MUNICIPALITIES**

Counsel for the Respondent Nos.3 to 6: --

The Court made the following: ORDER

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION No. 36744 OF 2022

ORDER:

This Writ Petition is filed seeking the following relief:

" ... to issue a writ, order or direction more particularly one in the nature of writ of mandamus by declaring action of the 2nd respondent in not considering the representation dated 18.07.2022 made by the petitioner for taking necessary action against the respondents 3 to 6 in making construction illegally in the land in Sy.No. 23/b/1 to an extent of Ac.0.15 gts, situated at Rangampalli Village, Peddapalli Mandal and District belonging to the petitioner and against the permissions granted to the respondents 3 to 6 as being arbitrary, illegal and violative of principles of natural justice and contrary to the provisions of the Telangana Municipalities Act, 2019 and consequently, direct the 2nd respondent to take necessary action against the respondents 3 to 6 on the representation made by the petitioner dt. 18.07.2022 for illegal constructions being made by the respondents 3 to 6 and pass such other order or orders as this Hon'ble Court deem fit and proper in the circumstances of the case."

2. Sri D. Bhaskar Reddy, learned counsel for the petitioner submits that the petitioner has given the representation dated 18.07.2022 stating that the unofficial respondents are making construction in the petitioner's land and requested the official respondents to take action.

3. Learned Standing Counsel for the respondent municipality Sri N. Praveen Kumar submits that the municipal

authorities will consider the representation and pass appropriate orders.

4. When the petitioner has given a representation stating that the unofficial respondents are making construction in his land, the official respondents should have considered the said representation after giving due notice to the unofficial respondents.

5. Taking into consideration the submission of the learned Standing Counsel, the Writ Petition is disposed of directing the official respondents to consider the representation dated 18.07.2022 of the petitioner and pass appropriate orders within four weeks from the date of receipt of a copy of this order, duly putting the unofficial respondents on notice. As this Court is directing the official respondents to issue notice to the unofficial respondents, issuance of notice to the unofficial respondents by this Court is not necessary. No order as to costs.

6. The miscellaneous Applications, if any shall stand closed.

SD/-P.PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration Department, State of Telangana, Secretariat Buildings, Hyderabad.
2. The Commissioner, Peddapalli Municipality, Peddapalli.
3. One CC to SRI D. BHASKAR REDDY, Advocate [OPUC]

Copy

4. Two CCs to GP for Municipal Administration and Urban Development, High Court for the State of Telangana at Hyderabad. [OUT]
5. One CC to SRI N. PRAVEEN KUMAR, S.C. for Municipalities [OPUC]
6. Two CD Copies.
7. One Spare Copy

MP
BS



HIGH COURT

DATED:22/09/2022

ORDER

WP.No.36744 of 2022



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

9
HMA
24/10/2022