HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)
MONDAY, THE TWENTY SIXTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO
PRESENT

THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI
WRIT PETITION NO: 45818 OF 2022

Between:

G. Vijay Kumar, S/o. Adinarayana, Occ. Business, R/o. "H" Block, 103, Madhura Nagar,Hyderabad-500 038.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Secretary, MA and UD Department, Secretariat, Hyderabad.
2. The Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Lower Tankbund, Hyderabad.
3. The Deputy Commissioner, GHMC, Quthubullapur Circle, Quthbullapur, Hyderabad.
4. The Deputy Commissioner, GHMC, Gajularamaram Circle Gajularamaram, Hyderabad.
5. M/s. Megha Engineering and Infrastructure Ltd, Rep. by its Managing Director, Office at Balanagar, 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 a Writ of Mandamus or any Writ or Direction declaring the action of the Respondents in trying to lay a road and raising the wall in the land of the Petitioner, admeasuring 2623 Sq.Yards in Sy.Nos.144, situated at Quthbullapur Village, Ranga Reddy District, within the GHMC limits, Hyderabad, as illegal, unjust, arbitrary and unconstitutional and direct the Respondents not to lay any road and raise any wall in the Petitioner land

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 grant Interim Direction to direct the Respondents not to lay any road and raise any wall and do any work in the Petitioner land admeasuring 2623 Sq.Yards in Sy.Nos.144, situated at Quthbullapur Village, Ranga Reddy District, within the GHMC limits, Hyderabad, Pending disposal of the Writ Petition,

Counsel for the Petitioner(s):SRI. Y VENKATASATYAM

Counsel for the Respondent 1: GP FOR MCPL ADMN URBAN DEV

Counsel for the Respondents 2 to 5: SRI. M. DHANANJAY REDDY, SC

The Court made the following: ORDER

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION No.45818 of 2022

O R D E R:

The writ petition is filed seeking the following relief:

> " ... to issue a Writ of Mandamus or any Writ or Direction declaring the action of the Respondents in trying to lay a road and raising the wall in the land of the Petitioner, admeasuring 2623 Sq.Yards in Sy.Nos.144, situated at Quthbullapur Village, Ranga Reddy District within the GHMC limits Hyderabad as illegal, unjust, arbitrary and unconstitutional and direct the Respondents not to lay any road and raise any wall in the Petitioner land and ....".

2. Mr. Y. Venkata Satyam, learned counsel for the petitioner submits that the petitioner is absolute owner and possessor of the subject property. It is stated that the petitioner has purchased the property by way of registered sale deed dated 13.12.2001. Learned counsel for the petitioner submits that on 20.12.2022, the respondents without any authority have started laying the road in the petitioner's land. Then, the petitioner has approached the Deputy Executive Officer of GHMC and he was informed that the work was being executed on the instructions of Town Planning Section and the petitioner has also visited them. It is stated that the respondents have not given any marking.

3. Learned counsel for the petitioner submits that the respondents without following the due process and without acquiring the land, again laying the road in the petitioner's land.

4. When this matter came up on 23.12.2022, this court has directed the respondents to maintain status-quo and directed the learned standing counsel to get instructions.

5. Mr. M. Dhananjay Reddy, learned standing counsel for the respondent municipality submits that pursuant to the orders passed by this court, the respondent corporation has stopped laying the road and construction of wall in the petitioner's land in Sy.No.144. Basing on the written instructions placed before this court, he submits that the respondent corporation will take up the work of laying the road after verification of the petitioner's documents by following due process of law.

6. Recording the said written instructions, this writ petition is disposed of directing the respondents not to lay the road in the petitioner's land without following the due process of law. No order as to costs.

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

SD/- MOHD. SANAULLAH ANSARI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Secretary, MA and UD Department, Secretariat, State of Telangana, Hyderabad.
2. The Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Lower Tankbund, Hyderabad.
3. The Deputy Commissioner, GHMC, Quthubullapur Circle, Quthbullapur, Hyderabad.
4. The Deputy Commissioner, GHMC, Gajularamaram Circle Gajularamaram, Hyderabad.
5. The Managing Director, M/s. Megha Engineering and Infrastructure Ltd, Office at Balanagar, Hyderabad.
6. One CC to SRI. Y VENKATASATYAM Advocate [OPUC]
7. Two CCs to GP FOR MCPL ADMN URBAN DEV, High Court for the State of Telangana. [OUT]
8. Two CCs to SRI. DHANANJAY REDDY, SC, High Court for the State of Telangana. [OUT]
9. Two CD Copies

HIGH COURT

LK,J

DATED:26/12/2022

ORDER

WP.No.45818 of 2022

WP IS DISPOSED OF WITHOUT COSTS