

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

WEDNESDAY, THE EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 293 OF 2023

Between:

Mr. Jayant Das, S/o Late. Shri. Parimal Kumar Das, Aged: 56 years, Residing at plot No.81, Ashok Manipuri Colony, Kapra, ECIL PO, Hyderabad, Telangana, 500062

...PETITIONER

AND

1. The State of Telangana, Represented by its Principal Secretary, Department of Municipal Administration and Urban Development, Telangana Secretariat Building, Hyderabad.
2. The Greater Hyderabad Municipal Corporation, Represented by its Commissioner having its office situated at Lower Tankbund, Hyderabad.
3. The Greater Hyderabad Municipal Corporation, Deputy Commissioner - Kapra Circle -I, Municipality Office, FH98+WMV, ECIL Main Rd, DAE Housing Colony, Moula Ali, Secunderabad, Telangana 500062
4. Mr. Mothe Rajan Babu, S/o Late. Mothe Narsaiah, Plot No. C-171 and 172, J.J. Nagar Colony, Defence Colony, Sainikpuri, 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 a Direction, more particularly one in the nature of Writ of Mandamus, declaring the inaction on the part of the Respondent No.2 and 3 for not taking any action against the unauthorized and illegal construction done by Respondent No.4 in Plot no. 80 Part, Street/Road. 30' Wide Road, Locality: Ashok Manipuri, Survey No. 558,559,560,563 and 564, Kapra(V), Kara Circle 1, LB Nagar Zone, Kapra(M), GHMC, Medchal - Malkajgiri(Dist), as arbitrary, illegal and violative of the Article 14, and 19(1)(g) of the Constitution of India and direct the Respondent No.2 and 3 to take necessary action against the unauthorized and illegal construction of the Respondent No.4's

building and finally, demolish the said construction to the extent it is illegal, in the interest of justice.

IA NO: 1 OF 2023

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 Respondents No. 2 and 3 to consider the representation dated 10/12/2022 and 22/12/2022, made by the Petitioner against the and unauthorized and illegal construction in Plot no. 80 Part, Street/Road. 30' Wide Road, Locality. Ashok Manipuri, Survey No. 558,559,560,563 and 564, Kapra (V), Kapra Circle 1, LB Nagar Zone, Kapra (M), GHMC, Medchal - Malkajgiri (Dist), pending disposal of the above referred writ petition, in the interest of justice.

IA NO: 2 OF 2023

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 stay of the unauthorized and illegal construction by Respondent no. 4 in Plot no. 80 Part, Street /Road. 30' Wide Road. Locality. Ashok Manipuri, Survey No. 558, 559, 560, 563 and 564, Kapra (V), Kapra Circle 1, LB Nagar Zone, Kapra(M), GHMC, Medchal - Malkajgiri (Dist) until the investigation of Respondent No.1,2 and 3 are complete or the present pending disposal of the above referred writ petition, in the interest of justice.

Counsel for the Petitioner: SRI S.LAKSHMI KANTH

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

Counsel for the Respondent Nos.2 & 3: SRI M.DURGA PRASAD, SC FOR GHMC

Counsel for the Respondent No.4: --

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION No. 293 of 2023

ORDER:

Sri S. Lakshmi Kanth, learned counsel for the petitioner has fairly submitted that he is not interested to prosecute the present writ petition and seeks permission of this Court to withdraw this writ petition.

2. Permission is accorded.
3. Accordingly, the present Writ Petition is dismissed as withdrawn. There shall be no order as to costs.

As a sequel thereto, miscellaneous applications, if any, shall stand closed.

//TRUE COPY//

SD/- C. PRAVEEN KUMAR
ASSISTANT REGISTRAR
SECTION OFFICER

To

1. Two CCs to GP FOR MCPL ADMN AND URBAN DEV, High Court for the State of Telangana, at Hyderabad. [OUT]
2. One CC to SRI S.LAKSHMI KANTH, Advocate [OPUC]
3. One CC to SRI M.DURGA PRASAD, SC FOR GHMC [OPUC]
4. Two CD Copies

PSK.
BS

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HIGH COURT

DATED:08/02/2023

ORDER

WP.No.293 of 2023



**DISMISSING THE WRIT PETITION
AS WITHDRAWN WITHOUT COSTS.**

(7) Copies
Am
22/2/23