

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

**MONDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 10827 OF 2024

Between:

Rapaka Venkateshwarlu, S/o. Somaiah, Aged 61 years, Occ. Business,
R/o.H.No.22-86/A/1, Mallikarjuna Nagar, Jawahar Nagar, Kapra (Mandal),
Medchal-Malkajgiri District, Telangana State

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat Buildings, Hyderabad.
2. The Greater Hyderabad Municipal Corporation, Tank Bund, Hyderabad, Rep. by its Commissioner.
3. The Greater Hyderabad Municipal Corporation, Rep. by its Deputy Commissioner, Circle No.28, Malkajgiri Circle, at Malkajgiri, Hyderabad.
4. The Greater Hyderabad Municipal Corporation, Rep. by its Asst. City Planner, Circle No. 28, Malkajgiri Circle, at Malkajgiri, Hyderabad.
5. The Radha Krishna Co-operative Housing Society Limited, Regd.No TAB No.200, Neredmet, having its office at Administrative Building, R.K. Housing Society, Neredmet, Malkajgiri, RR District. Rep. by its General Secretary.
6. R.K. Colony Welfare Association, RKH Colony. Malkajgiri, Rep. by its General Secretary.
7. The Station House Office, Neredmet Police Station, Medchal Malkajgiri 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 order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in passing the impugned orders vide Lr.No.94 / TPS / CIR -28 / GHMC 2022-2024 dated 02.04.2024, cancelling the building permission of the petitioners vide earlier accorded permit

No. 3/C28/17193/2018, dated 02.11.2018 in file No. 3/C28/18201/2018 for construction of ground and 1st floors for residential purpose in house property bearing Plot No. 356 Part in Sy No. 296 and 297, situated at R.K Housing Co-operative housing Society Limited, Neredmet Malkajgiri Village and Mandal, Malkajgiri District the same is recorded in the permission order, contrary to the Honble High Court directions passed in WP.No.5578 of 2024, dt.04.03.2024, orders Passed in WP.No.14249 of 2019, dt.22.03.2022, orders passed in WP.No.24118 of 2022, dt.29.03.2023 and also contrary to the orders passed in WP.No.30688 of 2023, dt.06.11.2023, inspite of the 5th respondent registered sale deed vide document no.4732 of 2008, dt.24.11.2008 on the file of the Sub-Registrar, Malkajgiri and rectification deed vide document no.1317 of 2011, dt.10.05.2011 registered in favour of Thupakula Ajay Kumar, who is the vendor of the petitioner, purchased the land in Plot No.356 part along with compound wall with gate, the same is purchased by the petitioner herein vide document no.1320 of 2011, dt.10.05.2011, the same is again rectified by way of executing rectification deed vide document no.3742 of 2019, dt.13.05.2019, on the file of the Sub-Registrar, Malkajgiri, without giving any reasons and without considering the petitioner's explanation and contrary to the Hon'ble High Court directions mentioned above, at the instance of 6th respondent who is no way concern with respondent/housing society, without verifying the layout plan and master plan of HMDA, is illegal, arbitrary, unjust and in violation of the principles of natural justice and violative of Article 14,19,21 and 300-A of the Constitution of India and consequently to direct the respondents/GHMC authorities not to interfere with the construction of the petitioners house property bearing in Plot No. 356 part consisting of 136 Sq Yards in Sy No. 296 and 297 situated at RK Housing Society Limited as per construction permission No. 3/C28/17193/2018, dated 02.11.2018 in file No. 3/C28/18201/2018 without following due process of law.

IA NO: 1 OF 2024

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 suspend the operation of the impugned order passed by the 2nd respondent vide proceedings No. 94 / TPS / CIR -28 / GHMC 2022-2024 dated 02.04.2024 in connection with the petitioner's house property bearing Plot No. 356 part

consisting of 136 Sq Yards in Sy No. 296 and 297 situated at RK Housing Society, Neredmet, Malkajgiri Medchal Mandal, Medchal Malkajgiri District, pending disposal of the above writ petition.

IA NO: 2 OF 2024

Between:

Rapaka Venkateshwarlu, S/o. Somaiah, Aged 61 years, Occ. Business, R/o.H.No.22-86/A/1, Mallikarjuna Nagar, Jawahar Nagar, Kapra (Mandal), Medchal-Malkajgiri District, Telangana State

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat Buildings, Hyderabad.
2. The Greater Hyderabad Municipal Corporation, Tank Bund, Hyderabad, Rep. by its Commissioner.
3. The Greater Hyderabad Municipal Corporation, Rep. by its Deputy Commissioner, Circle No.28, Malkajgiri Circle, at Malkajgiri, Hyderabad.
4. The Greater Hyderabad Municipal Corporation, Rep. by its Asst. City Planner, Circle No. 28, Malkajgiri Circle, at Malkajgiri, Hyderabad.
5. The Radha Krishna Co-operative Housing Society Limited, Regd.No TAB No.200, Neredmet, having its office at Administrative Building, R.K. Housing Society, Neredmet, Malkajgiri, RR District. Rep. by its General Secretary.
6. R.K. Colony Welfare Association, RKH Colony. Malkajgiri, Rep. by its General Secretary.
7. The Station House Office, Neredmet Police Station, Medchal Malkajgiri District.

...RESPONDENTS

8. Sri D.Ronald Rose, S/o. Not known to the petitioner, age Major, Working as GHMC Commissioner, GHMC, Tank Bund, Hyderabad.
9. Godhumala Raju, S/o. G.Rajaiah, aged about 49 years, Occ: Deputy Commissioner, Circle No.28, Malkajgiri Circle, at Malkajgiri, The Greater Hyderabad Municipal Corporation, Hyderabad.

...PROPOSED RESPONDENTS 8 & 9

Petition under 16-A of Writ Rules praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to

permit the petitioner to implead the proposed respondent No.8 & 9 as respondent No.8 & 9 in their personal capacity, in the above main writ petition and I.A.'s.

IA NO: 3 OF 2024

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 petitioner to file an additional affidavit along with two counter affidavits filed by the 2nd respondent.

Counsel for the Petitioner: SRI C.H.JAYAKRISHNA

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

**Counsel for the Respondent No.2 to 4: SRI MIDDE ARUN KUMAR,
SC FOR GHMC**

Counsel for the Respondent No.6: SRI M.SRIKANTH

Counsel for the Respondent No.7: GP FOR HOME

The Court made the following: ORDER

HON'BLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.10827 of 2024

ORDER:

This writ petition is filed challenging the impugned revocation order dated 02.04.2024.

2. Heard Sri C.H. Jayakrishna, learned counsel for the petitioner and Sri Midde Arun Kumar, learned Standing Counsel appearing for respondent Nos.2 to 4. Perused the record.

3. Learned counsel for the petitioner has submitted a representation dated 24.12.2024 to the Registrar (Judicial) of this Court stating that the petitioner has already filed a Review Application under Section 18 of the TSbPASS Act, 2020, challenging the impugned revocation order dated 02.04.2024 and he seeks to withdraw the present writ petition with liberty to pursue the said Review. The said letter is placed on record.

4. Permission is accorded.

5. Granting liberty as sought, this Writ Petition is dismissed as withdrawn. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the Writ Petition shall stand closed.

**SD/- V.HARI PRASAD
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. One CC to SRI C.H.JAYAKRISHNA, Advocate [OPUC]
2. One CC to SRI M.SRIKANTH, Advocate [OPUC]

3. One CC to SRI MIDDE ARUN KUMAR, SC FOR GHMC [OPUC]
4. Two CCs to GP FOR MCPL ADMN URBAN DEV, High Court for the State of Telangana at Hyderabad [OUT]
5. Two CCs to GP FOR HOME, High Court for the State of Telangana at Hyderabad [OUT]
6. Two CD Copies

BSR
PSK

BSK

HIGH COURT

DATED: 30/12/2024

ORDER

WP.No.10827 of 2024



DISMISSING THE WRIT PETITION

AS WITHDRAWN,

WITHOUT COSTS

⑩
13/02/25
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