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

MONDAY, THE TWENTY THIRD DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 19666 OF 2022

Between:

Katepally Madhu Mohan Reddy, S/o. Janardhan Reddy, Aged about 33 years, Occ : Business, R/o. Plot No.74, Road No.1, Nagarjuna Nagar Colony, Kushaiguda, ECIL Post, Hyderabad 500 062.

.....PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration, Having office at BRK Bhavan, Secretariat, Hyderabad.
2. The Municipal Commissioner, Thumkunta Municipality, Medchal Malkajgiri District.
3. **K.Prasanna, W/o.K.Mahipal Reddy, aged 46 years, Occ : Housewife, R/o.H.No.4-6-101, Gandhi Street, Hayathnagar, Village and Mandal, Ranga Reddy District.**

   (Respondent No.3 is impleaded as per Court Order dated 23-12-2024 in I.A.No.2 of 2022)

.....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, directing the Respondent No. 2 to mutate the function hall admeasuring 17,212 Sq. Ft., ACC constructed on the land admeasuring Ac. 01-00 in Sy. No. 363/a/1/2, situated at Thumkunta Village and Municipality, Shameerpet Mandal, Medchal Malkajgiri District and further direct the Respondent No. 2 allot a PTI No. to the house bearing No. 4-63/2 which was allotted by then the

Grampanchayat Thumkunta, Shameerpet Mandal, Medchal Malkajgiri District and pass

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 Respondent No. 2 to mutate the sheds with plinth area of 17,212 Sq. Ft., ACC constructed on land admeasuring Ac. 01-00 in Sy. No. 363/a/ 1/2, situated at Thumkunta Village and Municipality, Shamecrpet Mandal, Medchal Malkajgiri District, pending disposal of the Writ Petition in the interest of justice and equity.

Counsel for the Petitioner : SRI POLICE VENKAT REDDY

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

Counsel for the Respondent No.2 : SRI P.KRISHNA REDDY

Counsel for the Respondent No.3 : SRI A.GOPALA KRISHNA

The Court made the following ORDER

THE HON'BLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION No.19666 OF 2022

ORDER:

Heard Sri Police Venkat Reddy, learned counsel for petitioner, Sri Putta Krishna Reddy, learned Standing counsel appearing for 2nd respondent – Corporation and Sri A.Gopalakrishna, learned counsel appearing for 3rd respondent.

2. The petitioner herein is claiming that he is the absolute owner and possessor of the Function Hall under the name and style of 'Mogulla Mohan Reddy Function Hall' bearing No.4-63/2 admeasuring 17.212 sq.feet, constructed in the land to the extent of Ac.1.00 cents situated at Thumkunta Village and Municipality, Shameerpet District on the strength of registered sale deed bearing document No.6195 of 2018, dated 10.09.2018. The petitioner is running the said function hall even before merger of Thumukunta grampanchayat into the 2nd respondent – Municipality. The petitioner used to pay property tax to the said grampanchayt. After merger of Thumukunta grampanchayat in the 2nd respondent – Municipality, the petitioner has submitted a representation dated 20.10.2021 with the 2nd respondent with a request to assign PTIN number to the said Function Hall, to enable him to pay property tax to

the 2nd respondent. Despite receiving and acknowledging the said representation, 2nd respondent did not act upon the same. Aggrieved by the said inaction of the 2nd respondent, the petitioner has filed the present writ petition.

3. Perusal of the record would reveal that 3rd respondent filed a suit vide O.S.No.192 of 2017 against the petitioner seeking partition and separate possession of the suit schedule property, but the same was dismissed. Feeling aggrieved by the said judgment and decree, she preferred an appeal vide A.S.No.28 of 2023 and the same is pending. There are no interim orders. Vendor of the petitioner also filed a suit vide O.S.No.111 of 2023 against the petitioner and others seeking partition and separate possession of the suit schedule property. The said suit is also pending. There are no interim orders in the said suit. Therefore, 2nd respondent has to consider the said representation dated 20.10.2021 and dispose it of in accordance with law by putting the petitioner, 3rd respondent and also the plaintiff in O.S.No.111 of 2023 on notice.

4. In the light of the same, this writ petition is disposed of directing the 2nd respondent to consider the representation dated 20.10.2021 submitted by the petitioner requesting him to assign PTI Number to the subject Function Hall, to enable the petitioner to pay

property tax by following the due procedure laid down under Telangana Municipalities Act, 2019 by putting the petitioner, 3rd respondent and plaintiff in O.S.No.111 of 2023 on notice and affording them an opportunity. He shall complete the said exercise within a period of six (6) weeks from the date of receipt of a copy of this order. In the circumstances of the case, there is no order as to costs.

Consequently, miscellaneous petitions, if any, pending in this writ petition, shall stand closed.

SD/- T. TIRUMALA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Municipal Administration, Having office at BRK Bhavan, Secretariat, State of Telangana at Hyderabad.
2. The Municipal Commissioner, Thumkunta Municipality, Medchal Malkajgiri District.
3. Two CCs to GP FOR MCPL ADMN AND URBAN DEVELOPMENT, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to SRI POLICE VENKAT REDDY, Advocate [OPUC]
5. One CC to SRI A.GOPALA KRISHNA, Advocate (OPUC)
6. One CC to SRI P.KRISHNA REDDY, Advocate (OPUC)
7. Two CD Copies

SA
GJP

HIGH COURT

DATED:23/12/2024

ORDER

WP.No.19666 of 2022



DISPOSING OF THE W.P

WITHOUT COSTS.

10

kp

6/1/24.