

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

WEDNESDAY, THE THIRTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 31657 OF 2024

Between:

Chindam Sattaiah, S/o: Mallaiah, aged about 57 years, occ. Business,
R/o Choppadandi village and Mandal, Karimnagar.

...PETITIONER

AND

1. The State of Telangana, rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Hyderabad.
2. Choppadandi Municipality, rep. by its Commissioner, Choppadandi, Karimnagar 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 2nd respondent in threatening to demolish petitioners premises bearing H.No.15-249/2 in Sy.No. 424 admeasuring 1331.16 Sq. Yards situated at Choppadandi village and Mandal, Karimnagar District, without issuing any notice and without following the due process of Law, as being illegal, arbitrary, unconstitutional and violative of Articles 21 and 300-A of the Constitution of India and consequently direct the 2nd respondent not to take any coercive steps without following the 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 direct the respondent No.2 herein not to demolish petitioner's premises bearing H.No. 15-249/2 in Sy.No. 424 admeasuring 1331,16 Sq. Yards situated at Choppadandi village and Mandal, Karimnagar District, pending disposal of the main Writ Petition, in the interest of justice.

Counsel for the Petitioner: SRI N. HARI PRASAD

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

Counsel for the Respondent No.2: SRI M. RAM MOHAN REDDY, SC

The Court made the following: ORDER

HON'BLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.31657 OF 2024

ORAL ORDER:

Heard Sri N. Hari Prasad, learned counsel for the petitioner, learned Assistant Government Pleader for Municipal Administration and Urban Development for respondent No.1 and Sri M. Ram Mohan Reddy, learned Standing counsel appearing for respondent No.2. Perused the record.

2. This writ petition is filed to declare the action of respondent No.2 in threatening to demolish the petitioner's property bearing H.No.15-249/2, admeasuring 1331.16 sq.yds., in Sy.No.424, situated at Choppadandi Village and Mandal, Karimnagar District, without following due procedure laid down under law, as illegal.

3. Whereas, Sri M. Ram Mohan Reddy, learned standing counsel appearing for respondent No.2 on

instructions would submit that there is a proposal of road widening and part of the petitioner's property is going to affect in the said road widening. However, respondent No.2 will follow due procedure laid down under law.

4. In the light of the said submission, this writ petition is disposed of directing respondent No.2 not to demolish the subject property without following the due procedure laid down under law. If the subject property or part of it is required for any public purpose including road widening, liberty is granted to respondent No.2 to take steps in accordance with law. 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/- K.AMMAJI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Commissioner, Choppadandi Municipality, Choppadandi, Karimnagar District.
2. One CC to Sri N. Hari Prasad, Advocate [OPUC]
3. Two CCs to GP for Municipal Administration Urban Development, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri M. Ram Mohan Reddy, SC [OPUC]
5. Two CD Copies

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HIGH COURT

DATED:13/11/2024

ORDER

WP.No.31657 of 2024



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

PA
24/1/25
8 Copies.