

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

**FRIDAY, THE TWENTY NINTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 33618 OF 2024

Between:

TANIKONDA HYMAVATHI, W/o Tankikonda Murali Krishna, Hindu, aged about- 37 years, Occ House Hold, Resident of H. No. 7- 46/34/8, Chinthakuntai Village. Kothapally Mandal, Karimnagar District.

.....PETITIONER

AND

1. The State of Telangana, Department of Municipal Administration and Urban Development, Represented by its Principal Secretary, Secretariat, Hyderabad. 500022.
2. Shathavahana Urban Development Authority, Karimnagar. PIN- 505001.

.....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 writ order or direction more particularly one in the nature of writ of Mandamus declaring action of the respondents in not considering the application of the writ petitioner made for grant of building permission for construction of residential house, over her two residential open plots, as the same is not within the cutoff date of Layout Regularization Scheme, 2020 as per G. O. Ms. No. 131 dated 31-08- 2020, as illegal, arbitrary and contrary to law and consequently direct the 2nd respondent herein, to grant building permission for construction of residential house in the writ petitioners two open residential plots admeasuring 177. 11 square yards and 153. 88 square yards respectively both situated in Sy. No. 109/E of Chinthakunta Village Et G. P. , Kothapally Mandal, Karimnagar district and within the zone of Sathavahana Urban Development

Authority, by collecting necessary Penalization charges, compounding fee and open space contribution charges as per the norms stipulated in Memo No. 14148/PLGIII/2020 dated 30- 12- 2020, issued by the respondent and in the light of the orders passed by this Hon'ble High Court in the interest of justice.

I.A.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 2nd respondent herein to grant building permission for construction of residential building over the Writ petitioners two open residential plots admeasuring 177. 11 square yards and 153. 68 square yards respectively both situated in Sy. No. 109/E of Chinthakunta Village and G.P., Kothapally Mandal, Karimnagar district and within the zone of Sathavahana Urban Development Authority pending disposal of the main writ petition in the interest of justice.

Counsel for the Petitioner : SRI SURENDRA DESAI

**Counsel for the Respondent No.1: A GP FOR MUNICIPAL ADMINISTRATION
AND URBAN DEVELOPMENT**

**Counsel for the Respondent No.2: SRI KADARU PRABHAKAR RAO,
STANDING COUNSEL**

The Court made the following ORDER

HON'BLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.33618 OF 2024

ORAL ORDER:

Heard Sri Surendra Desai, learned counsel for the petitioner, learned Assistant Government Pleader for Municipal Administration and Urban Development appearing for respondent No.1 and Sri Kadaru Prabhakar Rao, learned Standing counsel appearing for respondent No.2.

2. This writ petition is filed to declare the action of respondents in not considering the application of the petitioner for grant of building permission for construction of residential house over her two residential open plots, as illegal.

3. Petitioner herein is claiming that she is the absolute owner and possessor of open plots admeasuring 171.11 sq.yds. and 153.88 sq.yds., both situated in Sy.No.109/E of Chintakunta Village and Grampanchayat, Kothapalli

Mandal, Karimnagar District, on the strength of a registered Partition Deed bearing document No.5048 of 2024, dated 23.08.2024. She has made two applications both dated 14.11.2024 with respondent No.2 for grant of building permission. The said applications are not considered by respondent No.2. Aggrieved by the said inaction of respondent No.2, petitioner filed the present writ petition.

4. According to the petitioner, she came to know that the subject plots are part of illegal layout and building permission will not be granted to such plots, unless they are regularized as per Regularization Scheme introduced by respondent No.1 vide G.O.Ms.Nos.131, dated 31.08.2020 and 135, dated 16.09.2020 and GHMC circular dated 28.12.2020.

5. Whereas, Sri Kadaru Prabhakar Rao, learned Standing counsel appearing for respondent No.2 on instructions would submit that respondent No.2 has not

received any application from the petitioner for grant of building permission. If the petitioner submits application under TG-bPASS, respondent No.2 will consider the same and take action in accordance with law.

6. In the light of the said submission, this writ petition is disposed of granting liberty to the petitioner to submit application under TG-bPASS portal with respondent No.2 along with all relevant documents. On filing such application, respondent No.2 shall consider the same. If respondent No.2 is not inclined to accept the request made by the petitioner, he shall pass a reasoned order and communicate copy of such order to the petitioner. 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/- T. TIRUMALA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Department of Municipal Administration and Urban Development, Secretariat, State of Telangana at Hyderabad. 500022.
2. The Shathavahana Urban Development Authority, Karimnagar. PIN- 505001.
3. Two CCs to GP for Municipal Administration and Urban Development, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to SRI SURENDRA DESAI, Advocate [OPUC]
5. One CC to SRI KADARU PRABHAKAR RAO, Standing Counsel (OPUC)
6. Two CD Copies

SA
MP

Kp

HIGH COURT

DATED:29/11/2024



ORDER

WP.No.33618 of 2024

DISPOSING OF THE W.P
WITHOUT COSTS.

(9)

kp.
30/12/24.