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

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

PRESENT

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

WRIT PETITION NO: 35031 OF 2024

Between:

Sri. Narravula Venkata Bhaskar Reddy, S/o. Narravula Venkata Rami Reddy, Aged 60 years, Occ.Private Employee, R/o.H.No.24-110, Kakatiya Nagar, Beside Water Tank, Ramachandrapuram, Sangareddy District.

.....PETITIONER

AND

1. The State of Telangana, rep. by its Principal Secretary Panchayat Raj Department, Secretariat, Secretariat Building, Hyderabad.
2. The Executive Officer/Panchayat Secretary, Grama Panchayat Chitkul Village, Patancheru Mandal, Sangareddy 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 questioning the action of the Respondent No.2 in issuing impugned Urgent Notice vide Lr. No. GPC/51/2024, Dt. 07-12-2024 cancelling the permission granted for construct a House in Sy. No. 336/E/1 situated at Chitkul Village, Chitkul Grampanchayat of Patancheru Mandal, Sangareddy district vide permission No. GPC/38/2024, dt. 28-08-2024 without issuing show-cause notice as illegal, arbitrary and against Telangana Panchayat Raj Act 2018 and in violation of principles of natural justice, and contrary to Article 21 and 300A of the Constitution of India. Consequently set-aside the Urgent Notice vide Lr. No. GPC/51/2024, Dt. 07-12-2024 issued by the 2nd Respondent.

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 suspend impugned Urgent Notice vide Lr. No. GPC/51/2024, Dt. 07/12/2024 issued by the 2nd Respondent in respect of House in Sy. No. 336/E/1 situated at Chitkul Village, Chitkul Grampanchayat of Patancheru Mandal, Sangareddy district, pending disposal of the present writ petition in the interest of justice.

Counsel for the Petitioner : SRI PALLE SRIHARINATH

Counsel for the Respondent No.1 : GP FOR PANCHAYAT RAJ AND RURAL DEVELOPMENT

Counsel for the Respondent No.2 : SRI R.CHANDRA SEKHAR REDDY

The Court made the following ORDER

THE HONOURABLE SMT. JUSTICE T. MADHAVI DEVI

WRIT PETITION No.35031 of 2024

ORDER:

This writ petition is filed, under Article 226 of Constitution of India, seeking the following relief:

> *"...to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus questioning the action of the Respondent No.2 in issuing impugned Urgent Notice vide Lr.No.GPC/51/2024 Dt 07.12.2024 cancelling the permission granted for construct a House in Sy.No.336/E/1 situated at Chitkul Village, Chitkul Grampanchayat of Patancheru Mandal, Sangareddy district vide permission No.GPC/38/2024 dt 28.08.2024 without issuing show cause notice as illegal, arbitrary and against Telangana Panchayat Raj Act, 2018 and in violation of principles of natural justice and contrary to Article 21 and 300A of the Constitution of India Consequently set aside the Urgent Notice vide Lr.No.GPC/51/2024 Dt 07.12.2024 issued by the 2nd Respondent and to pass..."*

2. Learned counsel for the petitioner submitted that the petitioner was not a party to the suits *vide* O.S.No.567 of 2020 and O.S.No.1258 of 2023 mentioned in the notice, dated 07.12.2024, and the schedule property mentioned in the said suits is also not the property of the petitioner. He further referred to the sale deed of the petitioner to demonstrate that the boundaries mentioned with regard to his property are not

the same as the schedule property mentioned in the suits *vide* O.S.No.567 of 2020 and O.S.No.1258 of 2023.

3. In view of the above, this Court is satisfied that the petitioner was not a party in the said suits and therefore, it is not understandable as to how the impugned order has been passed without issuing any notice to the petitioner.

4. In view of the same, the impugned notice is set aside and accordingly, writ petition is allowed. There shall be no order as to costs.

5. Miscellaneous petitions, if any, pending shall stand closed.

SD/-P. PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Panchayat Raj Department, Secretariat, Secretariat Building, State of Telangana at Hyderabad.
2. The Executive Officer/Panchayat Secretary, Grama Panchayat Chitkul Village, Patancheru Mandal, Sangareddy District.
3. Two CCs to GP FOR PANCHAYAT RAJ AND RURAL DEVELOPMENT, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to SRI PALLE SRIHARINATH, Advocate [OPUC]
5. Two CD Copies

SA
BS

C.C. TODAY

HIGH COURT

TMD,J

DATED:16/12/2024



ORDER

WP.No.35031 of 2024

DISPOSING OF THE W.P

WITHOUT COSTS.

18/12/24