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

FRIDAY, THE TWENTY FOURTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 2008 OF 2025

Between:

Gandhe Arun Kumar, S/o. Sri Gandhe Krishnaveni, Aged about 42. Years, Occ. Private Employee, R/o. H-No. 8-2-293/82/BSN/163, Bhagath Singh Colony, Film Nagar, Jubilee Hills, Hyderabad - 500 096

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary Municipal Administration and Urban Development Department, Secretariat, Secretariat Building, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad.
3. The Zonal Commissioner, Greater Hyderabad Municipal Corporation, Khairatabad Zone, Hyderabad.
4. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Khairatabad, Hyderabad.
5. Asst. City Planner, Greater Hyderabad Municipal Corporation, Circle -18, Khairatabad, Hyderabad.
6. T. Saritha, W/o. Not Known to the Petitioner Aged about 55 Years, Occ. Not known to the Petitioner, R/o. Plot No. 114, O.U. Colony, Sheikpet, Hyderabad - 500 008

...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, orders or direction, more particularly one in the nature of the Writ of Mandamus, declaring the action of the Respondents, more particularly, 4th and 5th Respondents in not taking any action against the 6th Respondent pursuant to her illegal and unauthorized construction over the Premises bearing Plot No. 114, O.0 Colony, Sheikpet, Hyderabad-500008, which was undertaken by her without having any valid statutory permissions, is being arbitrary, illegal, contrary to the GHMC Act, 1955 and T.S B-Pass Act, 2020, besides being violation of Articles 14 and 21 of the Constitution of India and consequently direct the official Respondents to demolish the illegal and unauthorized constructions of the 6th Respondent over the Premises bearing Plot

No. 114, O.U Colony, Sheikpet, Hyderabad-500008 by duly taking into consideration of the Petitioners representations/complaints dated, 26-10-2024 and 28-10-2024.

IA NO: 1 OF 2025

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 official respondents to demolish the illegal and unauthorized constructions of the 6th Respondent over the Premises bearing Plot No. 114, O.U Colony, Sheikpet, Hyderabad-500008 duly taking into consideration of the Petitioner's representations/complaints dated; 26-10-2024 and 28-10-2024.

Counsel for the Petitioner: SRI BONDEMPALLY RAMULU
Counsel for the Respondent No.1: GP FOR MCPL ADMN & URBAN DEV
Counsel for the Respondent Nos.2 TO 5: SRI MIDDE ARUN KUMAR, SC FOR GHMC

Counsel for the Respondent No.6: --

The Court made the following: ORDER

HON'BLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.2008 OF 2025

ORAL ORDER:

Heard Mr.B.Ramulu, learned counsel for the petitioner, learned Assistant Government Pleader for Municipal Administration and Urban Development for respondent No.1 and Mr.Midde Arun Kumar, learned Standing Counsel for respondent Nos.2 to 5.

2. The petitioner is a resident of Bhagath Singh Colony, Film Nagar, Jubilee Hills, Hyderabad. Respondent No.6 is making construction of stilt + 5 upper floors + pent house, in plot No.114, O.U.Colony, Sheikpet, Hyderabad, without obtaining prior permission from the Greater Hyderabad Municipal Corporation. Therefore, petitioner has submitted representations, dated 26.10.2024 and 28.10.2024 to respondent Nos.2 to 5 with a request to take action against respondent No.6 for the said unauthorised construction. Despite receiving and acknowledging the said representations, respondent Nos.2 to 5 did not act upon the same. Aggrieved

by the said inaction of respondent Nos.2 to 5, the petitioner filed the present writ petition.

3. Whereas, Mr.Midde Arun Kumar, learned Standing Counsel for respondent Nos.2 to 5, on instructions, would submit that respondent Nos.2 to 5 will inspect the subject site, and if the allegations made by the petitioner are found to be correct, they will take action against respondent No.6, strictly in accordance with the procedure laid down under GHMC Act, 1955 by putting the petitioner and respondent No.6 on notice and affording them an opportunity of hearing.

4. In the light of the said submissions, notice to respondent No.6 is dispensed with. This Writ Petition is disposed of directing respondent Nos.2 to 5 to consider the aforesaid representation dated 28.10.2024 and inspect the subject site, and if the allegations made by the petitioner are found to be correct, they shall take action against respondent No.6, strictly in accordance with the procedure laid down under GHMC Act, 1955 by putting the petitioner and respondent No.6 on notice by affording them an opportunity of hearing. They shall complete the said exercise within four

(04) weeks from the date of receipt of a copy of this order. In the circumstances of the case, 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 Principal Secretary Municipal Administration and Urban Development Department, Secretariat, Secretariat Building, Hyderabad, State of Telangana.
2. The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad.
3. The Zonal Commissioner, Greater Hyderabad Municipal Corporation, Khairatabad Zone, Hyderabad.
4. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Khairatabad, Hyderabad.
5. Asst. City Planner, Greater Hyderabad Municipal Corporation, Circle -18, Khairatabad, Hyderabad.
6. One CC to SRI BONDEMPALLY RAMULU, Advocate [OPUC]
7. Two CCs to GP FOR MCPL ADMN & URBAN DEV, High Court for the State of Telangana, at Hyderabad. [OUT]
8. One CC to SRI MIDDE ARUN KUMAR, SC FOR GHMC [OPUC]
9. Two CD Copies

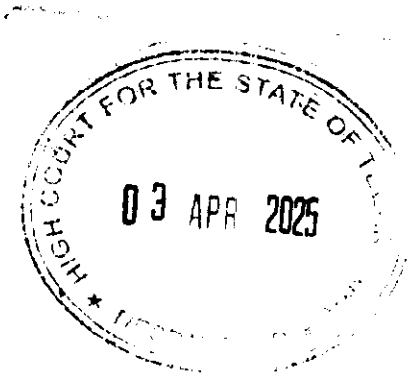
PSK.
GJP PA

HIGH COURT

DATED:24/01/2025

ORDER

WP.No.2008 of 2025



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

PA
15/3/25

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