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

THURSDAY,THE THIRTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 4199 OF 2025

Between:

Motilal Solanki, S/o. Late Bhonoram Solanki aged about 63 years, Occ Business, R/o. H. No. 4-8-113/4/2/1, Manjeeranagar, Sangareddy.

...PETITIONER

AND

1. State of Telangana, Represented by the Principal Secretary, Municipal Administration, Secretariat, Hyderabad
2. Sangareddy Municipality, Rep by its Commissioner, office at Sangareddy 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 a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent in issuing the Notice of Revocation bearing Notice No. 455537/SANG/0992/2024 dated 20.12.2024 as illegal, unjust, unlawful, and against the principles of Natural Justice and set aside the same and consequently direct the 2nd Respondent not to interfere with the construction being taken up by the petitioner as per the building permit bearing Application/Permit No. 455537/SANG/0992/2024 dated 25.11.2024

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 suspend the Revocation notice bearing Notice No. bearing Notice No. 455537/SANG/0992/2024 dated 20.12.2024

I.A. NO. 2 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 2nd Respondent not to interfere with the construction being taken up by the petitioner as per the building permit bearing Application/Permit No. 455537/SANG/0992/2024 dated 25.11.2024 pending the Writ Petition

Counsel for the Petitioner: SRI. R VINOD REDDY

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

Counsel for the Respondent No.2: SRI PUTTA KRISHNA REDDY SC FOR MC

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.4199 OF 2025

ORDER:

Heard Sri R.Vinod Reddy, learned counsel for the petitioner, learned Government Pleader for Municipal Administration appearing for respondent No.1 and Sri Putta Krishna Reddy, learned Standing Counsel appearing for 2nd respondent.

2. Petitioner herein is claiming that he is the absolute owner and possessor of the plot bearing No.15 part in Survey No.210 (new) and 211 (old) situated at Manjeeranagar, Sangareddy District, within 2nd respondent Municipality. He has obtained building permission from 2nd respondent on 25.11.2024 for the construction of a Stilt + Two Upper Floors in Plot No./H.No.4-8-113/E/2/A/1. He has just started construction and is proceeding with the construction strictly in accordance with the said building permission. While the matter stood thus, 2nd respondent has issued an impugned notice of Revocation dated 20.12.2024 revoking the building permission basing on the report of the site inspection officer.

No reasons were mentioned in the impugned revocation order. The details of the report of the site inspection officer were also not mentioned. Though, in the impugned revocation order dated 20.12.2024, there is reference to the show cause notice dated 07.12.2024, according to the petitioner, the same was not served on the petitioner. Thus, the impugned revocation order has been issued in violation of the principles of natural justice. Therefore, the impugned order is liable to be set aside and is accordingly set aside.

3. In the light of the same, this Writ Petition is disposed of setting aside revocation order dated 20.12.2024, granting liberty to 2nd respondent to initiate action afresh against the petitioner strictly in accordance with the procedure laid down under Telangana Municipalities Act, 2019, issue fresh notice and mention reasons for issuance of show cause notice including the details of the site inspection report, call for an explanation from the petitioner and then take action if any, against the petitioner herein. However, he shall complete the said exercise within a period of four (04) weeks from the date of receipt of a copy of this order. However, the petitioner shall proceed with the construction strictly in accordance with the

building permission dated 25.11.2024, failing which liberty is granted to 2nd respondent to take action against the petitioner herein.

Miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

SD/-V. KAVITHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

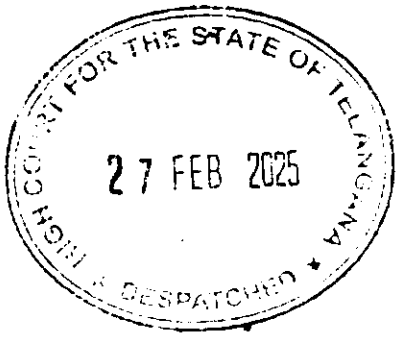
To,

1. The Principal Secretary, Municipal Administration, Secretariat, Hyderabad
2. The Commissioner, Sangareddy Municipality, office at Sangareddy Sangareddy District.
3. One CC to SRI. R VINOD REDDY Advocate [OPUC]
4. One CC to SRI PUTTA KRISHNA REDDY SC FOR MC [OPUC]
5. Two CCs to GP FOR MCPL ADMN URBAN DEV ,High Court for the State of Telangana. [OUT]
6. Two CD Copies

KKS
BS

HIGH COURT

DATED:13/02/2025



ORDER

WP.No.4199 of 2025

DISPOSING OF THE WRIT PETITION WITHOUT COSTS

(9) Cpid

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27/2/25