

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

**MONDAY, THE TWENTY SEVENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 25691 OF 2023

Between:

Syed Hameed Uddin Hassan, S/o late Syed Rafeeq Uddin Hassan, Aged about 45 years, Occ . Private, R/o H.No.17-2-1147/28/B, Rain Bazar, Yakutpura, Hyderabad - 500 023.

...PETITIONER

AND

1. The State of Telangana, Rep., its Secretary, Municipal Department, Government of Telangana, Secretariat, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation, at Tankbund, Hyderabad.
3. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Circle No.7, Charminar Zone, Hyderabad.
4. The Assistant City Town Planner, Greater Hyderabad Municipal Corporation, Circle No.7, Charminar Zone, Hyderabad.
5. Syed Fazaluddin Hasan, S/o late Syed Mohiuddin Hasan, Aged about 64 years, Occ. Business, R/o H.No.17-2-1147/5, Rain Bazar, Yakutpura, Hyderabad.
6. Syed Asif Uddin Hassan, Aged about years, Occ. Business, R/o H.No.17-2-1147/5, Rain Bazar, Yakutpura, Hyderabad.

...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 inaction of the questioning the inaction of the 3rd respondent in issuance of Lr. No. 1296-C7/TPS/CRZ/ GHMC/2023, dated 04-09-2023, without considering the petitioner's representation dated 04-07-2023 against the illegal and unauthorized construction

in respect of H.No.17-2-1147/5, Rain Bazar, Yakutpura, Hyderabad, by encroaching the petitioner's lane covered 4 1/2 feet area out of 5 feet lane by the 5th and 6th respondents, which are illegal, arbitrary, and against the principles of natural justice, as illegal, arbitrary, unconstitutional and consequently direct the 3rd respondent to consider the petitioner's representation dated 04-07-2023 against the illegal and unauthorized construction in respect of H.No.17-2-1147/5, Rain Bazar, Yakutpura, Hyderabad, by encroaching the petitioner's lane covered 4 1/2 feet area out of 5 feet lane by the 5th and 6th respondents.

IA NO: 1 OF 2023

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 pass orders by directing the the 3rd respondent to consider the petitioner's representation dated 04-07-2023 against the illegal and unauthorized construction in respect of H.No.17-2-1147/5, Rain Bazar, Yakutpura, Hyderabad, by encroaching the petitioner's lane covered 4 1/2 feet area out of 5 feet lane by the 5th and 6th respondents, till pending disposal of the above writ petition.

Counsel for the Petitioner : SRI K.HARISH KUMAR

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

Counsel for Respondent No.2to4:SRI RAPARATHI VENKATESH,SC FOR GHMC

Counsel for Respondent No.5&6 : SRI N.KRISHNA SUMANTH

The Court made the following: ORDER

HON'BLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.25691 of 2023

ORDER:

Heard learned counsel appearing for the petitioner, Sri Raparthi Venkatesh, learned Standing Counsel appearing for respondent Nos.2 to 4 and Sri N. Krishna Sumanth, learned counsel appearing for respondent Nos.5 and 6. Perused the record.

2. Petitioner herein has submitted a representation, dated 04.07.2023 to respondent No.3 alleging that respondent Nos.5 and 6 are making construction unauthorizedly. The said representation was not considered. Therefore, he filed the present Writ Petition.

3. Perusal of the record would reveal that vide reply dated 04.09.2023 respondent No.3 informed the petitioner that he has inspected the site and observed that there is no new / fresh construction of building at the site. Therefore, the representation submitted by the petitioner is considered. Upon verification of the same, it

is observed that there are civil disputes over the subject property. Therefore, respondent No.3 directed the petitioner to approach appropriate forum for settlement of ownership disputes. Thus, the representation dated 04.07.2023 submitted by the petitioner was considered and disposed of. Even then, petitioner herein has filed the present writ petition.

4. Now, learned counsel appearing for the petitioner has submitted a letter dated 22.01.2025 before the Registrar (Judicial-I) of this Court seeking permission of this Court to withdraw the present Writ Petition. The said letter is placed on record. Permission is accorded.

5. Accordingly, this Writ Petition is dismissed as withdrawn. There shall be no order as to costs.

As a sequel, the miscellaneous petitions, if any, pending in the Writ Petition shall stand closed.

SD/-A.SRINIVAS REDDY
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Secretary, Municipal Department, Government of Telangana, Secretariat, State of Telangana, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation, at Tankbund, Hyderabad.
3. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Circle No.7, Charminar Zone, Hyderabad.

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4. The Assistant City Town Planner, Greater Hyderabad Municipal Corporation, Circle No.7, Charminar Zone, Hyderabad.
 5. One CC to SRI K.HARISH KUMAR, Advocate. [OPUC]
 6. Two CCs to GP FOR MCPL ADMN URBAN DEV, High Court for the State of Telangana. [OUT]
 7. One CC to SRI RAPARATHI VENKATESH, SC FOR GHMC. [OPUC]
 8. One CC to SRI N.KRISHNA SUMANTH, Advocate. [OPUC]
 9. Two CD Copies.

BSK

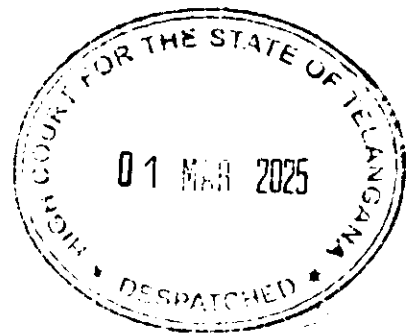
[Signature]

HIGH COURT

DATED:27/01/2025

ORDER

WP.No.25691 of 2023



**DISMISSING THE WRIT PETITION
WITHOUT COSTS**

(12) - PA
12/12/25