

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

**THURSDAY, THE SECOND DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 37172 OF 2024

Between:

C. Shekar, S/o. C. Prakash Babu, Aged about 41 Years, Occ. Private Employee,
R/o. 14-11-635, Beerban Bagh, Manghalhat, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, rep by its Principal Secretary. Municipal Administration and Urban Development Department Secretariat, Buildings, Hyderabad
2. The Greater Hyderabad Municipal Corporation, Rep by its Commissioner, Tankbund, Hyderabad.
3. The Zonal Commissioner, Greater Hyderabad Municipal Corporation, Secunderabad Zone, Secunderabad, Hyderabad.
4. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Circle 14, Abids, Hyderabad.
5. The Assistant City Planner,, Greater Hyderabad Municipal Corporation, Circle 14, Abids, Hyderabad.
6. The Town Planning Supervisor, Greater Hyderabad Municipal Corporation, Circle 14, Abids, Hyderabad.
7. G. Vinod Kumar, S/o. G. Shravan Kumar, Aged about 45 Years, Occ-Business, R/o. 14-11-596/1, Beerban Bagh, Manghalhat, 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 action of the respondents No. 2 to 6 in not taking action on the complaint of the petitioner dated 12.11.2024 and 28.11.2024 against the illegal construction of ground plus 3 upper floors carrying

in premises bearing No. 14-11-596/1, Beerban Bagh, Manghalhat, Hyderabad in an extent of 110 square yards without obtaining any building permission from the 2nd respondent corporation and also is in violation of GHMC Act and Rules and Building Bye Laws as illegal and arbitrary.

IA NO: 2 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 respondents No. 2 to 6 to seize the premises bearing No. 14-11-596/1, Beerban Bagh, Manghalhat, Hyderabad in an extent of 110 square yards under the GHMC Act pending disposal of the main writ petition.

IA 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 respondents No. 2 to 6 to consider the complaints of the petitioner dated 12.11.2024 and 28.11.2024 against the illegal construction of ground + 3 floors carrying in premises bearing No. 14-11-596/1, Beerban Bagh, Manghalhat, Hyderabad in an extent of 110 square yards pending disposal of the main writ petition.

Counsel for the Petitioner : SRI M.DURGA PRASAD

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

Counsel for the Respondents No.2to6 : SRI M.ARUN KUMAR, SC FOR GHMC

Counsel for the Respondent No.7 : --

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.37172 OF 2024

ORAL ORDER:

Heard Mr. M.Durga Prasad, learned counsel for the petitioner and Mr. Arun Kumar, learned Standing Counsel for respondent Nos.2 to 6. Perused the record.

2. Petitioner herein is resident of 14-11-635, Beerban Bagh, Manghalhat, Hyderabad and respondent No.7 herein is his neighbour. According to the petitioner respondent No.7 is making construction of ground + 3 floors in premises bearing No.14-11-596/1, Beerban Bagh, Manghalhat, Hyderabad without obtaining permission from GHMC. The said construction is unauthorized. Therefore, petitioner has submitted two representations dated 12.11.2024 and 28.11.2024 to respondent Nos.4 to 6 with a request to take action against respondent No.7. Despite receiving and acknowledging the said representations, respondent Nos.4 to 6 did not act upon the same. Aggrieved by the said inaction

of respondent No.4 to 6, petitioner filed the present writ petition.

3. Whereas the learned Standing Counsel for respondent Nos.2 to 6 on instructions would submit that respondent No.4 will consider the representations dated 12.11.2024 and 28.11.2024 submitted by the petitioner and take action in accordance with law under The Greater Hyderabad Municipal Corporation Act, 1955 by putting the petitioner and respondent No.7 on notice and affording them an opportunity of hearing.

4. In the light of the aforesaid submissions, notice to respondent No.7 is dispensed with. This writ petition is disposed of, directing the respondent No.4 to consider the representations dated 12.11.2024 and 28.11.2024 submitted by the petitioner in accordance with law and if respondent No.4 found that the allegations made against respondent No.7 are true, he shall take action against the respondent No.7 by putting respondent No.7 on notice and affording him an opportunity of hearing. Respondent No.4 shall complete the

entire exercise within 4 weeks from the date of receipt of the copy of this order. There shall be no costs.

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

**SD/- V.KAVITHA
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary. Municipal Administration and Urban Development Department State of Telangana, Secretariat, Buildings, Hyderabad
2. The Commissioner, Greater Hyderabad Municipal Corporation, Tankbund, Hyderabad.
3. The Zonal Commissioner, Greater Hyderabad Municipal Corporation, Secunderabad Zone, Secunderabad, Hyderabad.
4. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Circle 14, Abids, Hyderabad.
5. The Assistant City Planner,, Greater Hyderabad Municipal Corporation, Circle 14, Abids, Hyderabad.
6. The Town Planning Supervisor, Greater Hyderabad Municipal Corporation, Circle 14, Abids, Hyderabad.
7. One CC to SRI M.DURGA PRASAD, Advocate. [OPUC]
8. Two CCs to GP FOR MCPL ADMN URBAN DEV, High Court for the State of Telangana. [OUT]
9. One CC to SRI M.ARUN KUMAR, SC FOR GHMC. [OPUC]
10. Two CD Copies.

BSK

PSK



HIGH COURT

DATED:02/01/2025

ORDER

WP.No.37172 of 2024



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

(13)
13/02/25
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