

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

WEDNESDAY, THE TWELFTH DAY OF JANUARY
TWO THOUSAND AND TWENTY TWO

**:PRESENT:
THE HON'BLE SMT JUSTICE P.MADHAVI DEVI**

**IA NOS. 1 AND 2 OF 2022
IN
WP NO: 1775 OF 2022**

Between:

Eruva Padma, W/o Eruva Balaraju,

...Petitioner
(Petitioner in WP.No.1775 OF 2022
on the file of High Court)

AND

1. The State of Telangana, Revenue Department, Rep. by its Principal Secretary
2. The Tahsildar, Medipally, Medchal-Malkajgiri District, Telangana
3. The Mandal Surveyor, Medipally, Medchal-Malkajgiri District, Telangana
4. The State of Telangana, Represented by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Hyderabad.
5. The Peerzadiguda Municipal Corporation, Represented by its Commissioner, # 12-18, Peerzadiguda Road, Gayatri Nagar, Peerzadiguda, Medchal - Malkajgiri Dist., Telangana 500039
6. The Commissioner, Peerzadiguda Municipal Corporation, Peerzadiguda, Medchal - Malkajgiri Dist., Telangana 500039.
7. S. Chandra Reddy, S/o. Late Ram Reddy, Aged about 79 years, Occ: Business, R/o. H.No. 3-41/1, Street No.5, Habsiguda, Telangana.

...Respondents
(Respondents in-do-)

**Counsel for the Petitioner :SRI.D.PRAKASH REDDY, learned Senior Counsel
representing for SRI.N.NAVEEN KUMAR**

Counsel for the Respondent Nos.1 to 3 :GP FOR REVENUE (TG)

Counsel for the Respondent No.4: GP FOR MUNICIPAL ADMINISTRATION (TG)

Counsel for the Respondent Nos. 5&6 : SRI.C.PRAVEEN KUMAR, SC

IA.NO.1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to stay all proceedings pursuant to the Show Cause Notice No. 2357/2021-G1(TPS) 30.12.2021 issued by Respondent No. 3 pending disposal of the above WP No.1775 of 2022, on the file of the High Court.

IA.NO.2 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the operation of the proceedings issued by Respondent No.2 vide Lr.No.B/605/2021 dated 23.12.2021 (Survey Report), pending disposal of the above WP No.1775 of 2022, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

**Sri D.Prakash Reddy, learned Senior Counsel representing Sri N.Naveen Kumar,
learned counsel for the petitioner would submit that without issuing any notice to the**

petitioner, respondent No.3-Mandal Surveyor has conducted survey of the subject land situated in survey Nos.81, 82 and 108 of Medipally Village and Mandal, Medchal-Malkajgiri District and basing on which, respondent No.6 has given a show-cause notice, dated 30.12.2021 to the petitioner to submit her detailed explanation with regard to the location of her plots in Survey Nos. 81 and 82, which according to the survey report, both are under survey No.108. It is stated that respondent No.6 is contemplating to take action to revoke the building permission granted to the petitioner and, therefore, sought for stay of the show-cause notice, dated 30.12.2021 as well as report dated 23.12.2021 of respondent No.3-Mandal Surveyor.

Learned Government Pleader for Revenue submits that respondent No.3 has given a report stating that the petitioner's properties are actually located in Survey No.108 and not in survey No.82, as claimed by the petitioner.

After going through the orders of respondent No.2-Tahsildar, Medipally Tahsil, *prima facie*, it is appears that respondent No.3-Mandal Surveyor has not given any notice to the petitioner or has disposed of the objections of the petitioner, dated 13.12.2021.

In view of the same, respondent No.6-Commissioner, Peerzadiguda Municipal Corporation, is directed not to take any coercive steps pursuant to the report, dated 23.12.2021 and the impugned show cause notice, dated 30.12.2021 till further orders.

SD/- T.KRISHNA KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Revenue Department, State of Telangana.
2. The Tahsildar, Medipally, Medchal-Malkajgiri District, Telangana
3. The Mandal Surveyor, Medipally, Medchal-Malkajgiri District, Telangana
4. The Principal Secretary, Municipal Administration and Urban Development Department, State of Telangana, Secretariat, Hyderabad.
5. The Commissioner, The Peerzadiguda Municipal Corporation, # 12-18, Peerzadiguda Road, Gayatri Nagar, Peerzadiguda, Medchal - Malkajgiri Dist., Telangana 500039
6. The Commissioner, Peerzadiguda Municipal Corporation, Peerzadiguda, Medchal - Malkajgiri Dist., Telangana 500039.
7. S. Chandra Reddy, S/o. Late Ram Reddy, R/o. H.No. 3-41/1, Street No.5, Habsiguda, Telangana. (RR-1 to 7 by RPAD)
8. One CC to SRI.N.NAVEEN KUMAR Advocate [OPUC]
9. Two CCs to GP FOR REVENUE (TG), High Court for the State of Telangana, at Hyderabad. [OUT]
10. Two CCs to GP FOR MUNICIPAL ADMINISTRATION (TG), High Court for the State of Telangana, at Hyderabad. [OUT]
11. One spare copy

HIGH COURT

PMD.J

DATED; 12.01.2022

NOTE: POST ON 07.02.2022

I.A.NOS.1 AND 2 OF 2022
IN
WP.NO.1775 OF 2022

INTERIM DIRECTION

