

(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF FEBRUARY TWO THOUSAND AND NINETEEN

:PRESENT:

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO: 1966 OF 2019



Between:

B. Paul Raj Kumar, S/o. Late B. Ratna Raju

...Petitioner

AND

1. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund Road, Hyderabad.
2. The Deputy Commissioner, Greater Hyderabad Municipal Corporation L.B Nagar Circle, LB Nagar, Hyderabad.
3. S. Ravi Kumar, son of not known Aged 36 years, R/o. H No. 5-2-353/P173 Gayathri Nagar, Bank Colony, Vanasthalipuram Hyderabad.

...Respondents

WHEREAS the Petitioner above named through his Advocate B S S PRASAD presented this 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 respondents in not restraining the respondent no.3 from the proceeding with illegal construction without leaving the setbacks in H No. 5-2-353/P173, Gayathri Nagar, Bank Colony, Vanasthalipuram, Hyderabad, abutting to petitioner residential house as illegal, arbitrary, contrary to the settled principles of law and violative of the provisions of Hyderabad Municipal Corporation Act, 1955 and building rules and consequently direct the respondents 1 and 2 to forthwith to stop the illegal constructions by the respondent no.3 by considering the representation dated 22.12.2018 of the petitioner in the interest of justice.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri B S S PRASAD, Advocate for the Petitioner and Sri Sampath Prabhakar, learned Standing Counsel for GHMC, who takes notice for respondent Nos.1 and 2, directed issue of notice to the Respondent No.3 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

S. Ravi Kumar, son of not known Aged 36 years, R/o. H No. 5-2-353/P173 Gayathri Nagar, Bank Colony, Vanasthalipuram Hyderabad.

are directed to show cause on or before 18-03-2019 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2019

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 1 and 2 to restrain the respondent no.3 from making illegal construction in H No. 5-2-353/P173, Gayathri Nagar, Bank Colony, Vanasthalipuram, Hyderabad by considering the representation of the petitioner dated 22.12.2018, pending disposal of WP No. 1966 of 2019, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission to 3rd respondent.

Sri Sampath Prabhakar, learned Standing Counsel for GHMC, takes notice for respondent Nos.1 and 2.

Personal notice permitted.

Since it is alleged that the 3rd respondent is not leaving set back, while making construction adjacent to the petitioner's property, there shall be interim direction, as prayed for eight weeks.

Post on 18/3/2019.

SD/- CH. VENKATESWARLU
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. S. Ravi Kumar, R/o. H No. 5-2-353/P173 Gayathri Nagar, Bank Colony, Vanasthalipuram Hyderabad (by RPAD along with a copy of petition and affidavit).
2. One CC to SRI. B S S PRASAD, Advocate [OPUC].
3. One spare copy
ZEE

HIGH COURT

CKRJ

DATED:04/02/2019

POST ON 18/03/2019

NOTICE BEFORE ADMISSION



WP.No.1966 of 2019

INTERIM DIRECTION