

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)
WEDNESDAY, THE NINETEENTH DAY OF FEBRUARY TWO THOUSAND AND
TWENTY
:PRESENT:
THE HONOURABLE SRI JUSTICE P.KESHAVA RAO
WRIT PETITION NO: 2353 OF 2020

Between:

Sri. Mekala Prabhakar Reddy, S/o. Sri. M. Subhan Reddy

...Petitioner

AND

1. The State of Telangana, Municipal Administration Department, Rep. by its Principal Secretary Secretariat Buildings, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation, CC Complex Tank Bund Road, Lower Tank Bund, Hyderabad – 500063.
3. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Rajendranagar Circle – 11, CRZ, GHMC.
4. The Asst. City Planner, Town Planning Section, Rajendranagar Circle - 11, CRZ, GHMC.
5. Sri. A. Narasimha Reddy, S/o. Yella Reddy, Age: major, R/o. Mailardevpally Village, Rajendranagar, Ranga Reddy 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 pass an order or orders or Writ or more particularly one in the nature of a Writ of Mandamus declaring the challenging the inaction of the Respondents No. 2 to 4 herein in respect of unauthorized/illegal construction of Shed & Board in petitioners land situated at Sy.No.93/A of Mailardevpally, Rajendranagar, R.R District despite the petitioner's representations/complaint dated: 23.11.2019 and 5.12.2019 as arbitrary, illegal and contrary to the provisions of Greater Hyderabad Municipal Corporation Act, 1955 and as well as the direction given by this Court in W.P.Nos.19731 and 19667 of 2019 besides being violative of Article 14 and 21 of the constitution of India.

IA NO: 1 OF 2020

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 direct to the Respondents Nos. 2 to 4 to dispose of the petitioners representations/complaint dated: 23.11.2019 and 5.12.2019, pending disposal of WP.No.2353 of 2020, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of M/s SWAROOP OORILLA Advocate for the Petitioner, GP FOR MUNICIPAL ADMINISTRATIVE & URBAN DEVELOPMENT for the Respondent No.1 and SRI CHATLA MADHU Advocate for the Respondent Nos.2 to 4, the Court made the following.

ORDER:

Heard the learned counsel appearing for the petitioner as well as the learned standing counsel appearing for respondents 2 to 4 and the counsel for the fifth respondent.

Learned standing counsel informs the Court that the final notice dated 09.01.2020 under Section 636 of the Greater Hyderabad Municipal Corporation Act, 1955 is already issued to the fifth respondent asking him to remove the constructions within 24 hours. However, the Corporation could not take any action since the police protection sought for is not provided.

Post on 26.02.2020.

Meanwhile, the third respondent is directed to take appropriate steps pursuant to the final notice issued under Section 636 of the GHMC Act, 1955 and report to this Court by filing a status report.

The official respondents are at liberty to seek police protection if they find any difficulty in taking appropriate action pursuant to the issuance of the final notice dated 09.01.2020.

Failure to comply with the above said order, the third respondent shall present in Court in person with an explanation.

SD/- N. PURUSHOTHAM REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration Department, State of Telangana, Secretariat Buildings, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation, CC Complex Tank Bund Road, Lower Tank Bund, Hyderabad – 500063.
3. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Rajendranagar Circle – 11, CRZ, GHMC **(By Special Messenger)**.
4. The Asst. City Planner, Town Planning Section, Rajendranagar Circle - 11, CRZ, GHMC.
5. Sri. A. Narasimha Reddy, S/o. Yella Reddy, R/o. Mailardevpally Village, Rajendranagar, Ranga Reddy District (RR 1, 2 & 4 to 6 by RPAD).
6. One CC to M/s. SWAROOP OORILLA, Advocate [OPUC].
7. Two CCs to GP FOR MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT, High Court for the State of Telangana at Hyderabad **(By Special Messenger)**.
8. One spare copy
ZEE

HIGH COURT

PKRJ

DATED:19/02/2020

NOTE: POST ON 26.02.2020

ORDER

WP.No.2353 of 2020

DIRECTION

