

**IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
TUESDAY ,THE SIXTH DAY OF FEBRUARY TWO THOUSAND AND
TWENTY FOUR**

:PRESENT:

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 2986 OF 2024

Between:

1. Yamsani Hari Haran Sai, S/o. Y. Chandra Sekhar Babu Age.25 Years, Occ. Service, R/o. Plot No.103 in Block - A, Survey No.206, Sri Ram Nagar Colony, Kondapur (V), Serilingampally (M), Ranga Reddy District, T S.
2. Yamsani Lalitha, W/o. Yamsani Chandra Sekhar Babu Age.45 Years, Occ. Housewife Both R/o. Plot No.103 in Block - A, Survey No.206, Sri Ram Nagar Colony, Kondapur (V), Serilingampally (M), Ranga Reddy District, T S.

Petitioners

AND

1. The State of Telangana, Rep by its Principal Secretary Revenue (U.C.I) Department, Secretariat Hyderabad.
2. The Greater Hyderabad Municipal Corporation, Rep by its Commissioner, Tank Bund Hyderabad.
3. The Greater Hyderabad Municipal Corporation, Rep by Deputy Commissioner, Circle No.20, GHMC, Serilingampally Zone, Ranga Reddy District.
4. The Asst. City Planner, Greater Hyderabad Municipal Corporation, Serilingampally Zone, Ranga Reddy District.
5. The Additional Collector Urban Land Ceiling and Competent Authority, Ranga Reddy District, 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 writ order or direction more particularly one in the nature of writ of Mandamus and declaring the action of the respondents No.2, 3 and 4 in issuing Revocation Letter to the building permission of the petitioner Lr. No.356351/GHMC/22482/2023 dated 25-01-2024 and consider the petitioner application for building permission inspite of orders of this Hon'ble Court vide W P No.34369/2023 dated. 21-12-2023 as being illegal arbitrary and violative of Article 14,21 and 300-A of Constitution of India and consequently set aside the above the Revocation Letter vide Lr. No.356351/GHMC/22482/2023 dated 25-01-2024 issued by respondents 2, 3 and 4 and reconsider the building permit No.356351/12370/GHMC/2023 dated 28-12-2023, of the petitioner in respect of Plot No.103 in Block - A, in Survey No.206, admeasuring 200 Sq yards, situated at Sreeram Nagar Colony, Kondapur (V), Serilingampally (M), Ranga Reddy District, T S., and bounded by North. Plot No.102, South. Plot No.104, East. Plot No.110, West. 30 Feet Wide Road., without insisting U LC Clearance Certificate;

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 2, 3 and 4 to set aside the Revocation Letter vide Lr. No.356351/GHMC/22482/2023 dated 25-01-2024 and reconsider the building permit No.356351/12370/GHMC/2023 dated 28-12-2023, Plot No.103 in Block - A, in Survey No.206, admeasuring 200 Sq yards, situated at Sreeram Nagar Colony, Kondapur (V), Serilingampally (M), Ranga Reddy District, T S., and bounded by North. Plot No.102, South. Plot No.104, East. Plot No.110, West. 30 Feet Wide Road., without insisting ULC Clearance Certificate, pending disposal of WP 2986 of 2024, 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 SRI THAKUR ROOPA SINGH Advocate for the Petitioners and GP FOR ASSIGNMENT for the Respondents 1 & 5, the Court made the following.

ORDER:

In similar circumstances, order dated 10.11.2023 was passed in W.P.No.16461 of 2023 and order dated 21.12.2023 was passed in W.P.No.34369 of 2023.

Learned Assistant Government Pleader for Assignment submitted that interim order may be passed with an observation that the same shall be subject to outcome of W.P.No.26830 of 2007 and that the writ petitioners shall not claim any equities.

In view of the above, there shall be interim direction to respondent Nos.2 to 4 to reconsider the building permission No.356351/12370/GHMC/2023 dated 28.12.2023 of the petitioners without reference to the Revocation Letter No.356351/GHMC/22482/2023 dated 25.01.2024 and without insisting upon production of clearance certificate/NOC from the ULC authorities in respect of Plot No.103 in Block-A, in Survey No.206, admeasuring 200 sq. yards, situated at Sreeram Nagar Colony, Kondapur (V), Serilingampally (M), Ranga Reddy District. It is made clear that this order shall be subject to outcome of W.P.No.26830 of 2007.

Print the name of Mr. M.A.K. Mukheed, learned Standing Counsel for GHMC.

Post along with W.P.No.18768 of 2011 and W.P.No.26830 of 2007, on 05.03.2024.

//TRUE COPY//

SD/- T. JAYASREE
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Principal Secretary Revenue (U.C.I) Department, State of Telangana Secretariat Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund Hyderabad.
3. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Circle No.20, GHMC, Serilingampally Zone, Ranga Reddy District.
4. The Asst. City Planner, Greater Hyderabad Municipal Corporation, Serilingampally Zone, Ranga Reddy District.
5. The Additional Collector Urban Land Ceiling and Competent Authority, Ranga Reddy District, Hyderabad. (1 to 5 by RPAD)
6. One CC to SRI. THAKUR ROOPA SINGH Advocate [OPUC]
7. Two CCs to GP FOR ASSIGNMENT, High Court at Hyderabad. [OUT]
8. One spare copy

HIGH COURT

BVRJ

DATED:06/02/2024

Post along with W.P.No.18768 of 2011 and
W.P.No.26830 of 2007, on 05.03.2024.

ORDER



WP.No.2986 of 2024

DIRECTION