

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

MONDAY, THE TWELFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HON'BLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 3549 OF 2024

Between:

Neelam Kavitha, W/o. Neelam Srinivas

Petitioner

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, 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. 361806/GHMC/0570/2024 dated 07/02/2024 and consider the petitioner application for building permission inspite of orders of this Hon'ble Court vide W P No.33378/2023 dated. 11/12/2023 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. 361806/GHMC/0570/2024 dated 07-02-2024 issued by respondents 2, 3 and 4 and reconsider the Building permit No. 361806/0331/GHMC/2024 dated 11/01/2024 of the petitioner in respect of Plot No.264, in Survey No.78 to 93, admeasuring 200 Sr. Yards, (Out of 600 Sq. yards), situated at Raja Rajeswara Nagar, Kondapur (V), Serilingampally (M), Ranga Reddy District, T. S., and bounded by North. 30 Wide Road South. Plot No.261 East. Plot No.265 West. Part of Plot No.264;

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. 341119/GHMC/19491/2023 dated 23/11/2023 and reconsider the building permit No.341119/10599/GHMC/2023 dated 01-11-2023 bearing Plot No.235/1, in Survey No.78 to 93, admeasuring 200 Sq.yards., situated at Raja Rajeswara Nagar, Kondapur (V), Serilingampally (M), Ranga Reddy District, T. S., and bounded by North. Plot No.235 and 236 of Rajarajeshwara Nagar South. Plot No.234 of Rajarajeshwara Nagar East. 30' Wide Road West. Open Plot adjacent to Plot No.238 of Rajarajeshwara Nagar, Pending disposal of WP 3549 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 Smt. Thakur Roopa Singh, Advocate for the Petitioner and GP FOR Assignment(Revenue) for the Respondent Nos. 1 and 5 and Sri M A K Mukheed for the respondent Nos. 2, 3 and 4, 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 petitioner 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.361806/0331/GHMC/2024 dated 11.01.2024 of the petitioner without reference to the Revocation Letter No.361806/GHMC/0570/2024 dated 07.02.2024 and without insisting upon production of clearance certificate/NOC from the ULC authorities in respect of Plot No.264, in Survey No.78 to 93, admeasuring 200 sq. yards (Out of 600 sq. yards), situated at Raja Rajeswara Nagar, Kondapur Village, Serilingampally Mandal, Ranga Reddy District. It is made clear that this order shall be subject to outcome of W.P.No.26830 of 2007. Further, the petitioner shall not claim any equities in the event of this writ petition being dismissed.

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 11.03.2024.

SD/- V. KAVITHA
ASSISTANT REGISTRAR

//TRUE COPY//

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, Serilingampally Zone Ranga Reddy District.

5. The Additional Collector, Urban Land Ceiling and Competent Authority, Ranga Reddy District, Hyderabad.
(Addresses 1 to 5 by RPAD)
6. One CC to Smt. Thakur Roopa Singh Advocate [OPUC]
7. Two CCs to GP FOR REVENUE, High Court at Hyderabad. [OUT]
8. One spare copy

HIGH COURT

BVR, J

DATED:12/02/2024

**NOTE: POST ALONG WITH
W.P.NO.18768 OF 2011 AND
W.P.NO.26830 OF 2007, ON 11.03.2024.**

ORDER

WP.No.3549 of 2024

INTERIM DIRECTION

