



2025:TSHC:54512

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

THURSDAY, THE SIXTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HON'BLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 3698 OF 2023

Between:

1. M/s. Rolling Hills House Owners' Association, Having its office at Club House, Adj to C18, Rolling Hills, Gachibowli, Ranga Reddy district, Rep. by its President Mr. D. Dinesh Kumar Reddy, S/o. Late Sri D. Dasthagiri Reddy, aged about 55 years.
2. T. Pavana Devi, W/o. Gopichand Tummala, Aged about 60 years, R/o Villa No D8, Rolling Hills, Gachibowli, Ranga reddy dist- 500032.

...Petitioners

AND

1. Greater Hyderabad Municipal Corporation, Office of the Commissioner, Town Planning Section (HO), GHMC, Tank Bund, Hyderabad.
2. The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, District Commercial Complex, Administrative 'L' Block, Tarnaka, Hyderabad,
3. M/s. Patel Engineering Limited., a registered company, Having its Registered Office at Patel Estate Road, Jogeshwari (West), Mumbai-400015 and branch at H.No.6-3-635, Akash Ganga, 4th Floor, Khairatabad, Hyderabad, rep. by its Authorized Signatory Sri B.S.Reddy.
4. M/s. P.B.S.R. Developers Private Limited., Having its Registered Office at 8-2-293/82/A/76, First Floor, Road No.9A, Jubilee Hills, Hyderabad-500033, Rep. by its Authorized Signatory Sri Vineet Aggarwal.

...Respondents

WHEREAS the Petitioner above named through their Advocate M/s. M. SRINIVAS 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 an appropriate order, writ or direction more particularly one in the nature of writ of mandamus declaring the revised layout permit No.2755/Layout/CDA/PLG/HMDA/2002, dated 26.04.2013 and permit No.39591/HO/WZ/Cir.-11/2015, dated 20.01.2015 in File No. B/429/TPS/TP-11/GHMC/2014, and Revised Permit No.53374/HO/WZ/Cir-11/2016, 03.11.2017 in File No.117404/21/02/2017/HO/29, and Order in Lr. No. 117404/21/02/2017/HO/29, dated 09.01.2023 passed by 1st respondent, as illegal, arbitrary, contrary to law, without jurisdiction and violative of Articles 14, 21 and 300A of the Constitution of India and consequently set aside the same, in the interest of justice.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of M/s. M. SRINIVAS, Advocate for the Petitioner, directed issue of notice to the Respondents herein to



show cause as to why this writ petition should not be admitted in the circumstances set out in the petition and the affidavit filed in Writ Petition;

You viz:

1. The Greater Hyderabad Municipal Corporation, Office of the Commissioner, Town Planning Section (HO), GHMC, Tank Bund, Hyderabad.
2. The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, District Commercial Complex, Administrative 'L' Block, Tarnaka, Hyderabad,
3. Sri B.S.Reddy, Authorized Signatory, M/s. Patel Engineering Limited., a registered company, Having its Registered Office at Patel Estate Road, Jogeshwari (West), Mumbai-400015 and branch at H.No.6-3-635, Akash Ganga, 4th Floor, Khairatabad, Hyderabad.
4. Sri Vineet Aggarwal, Authorized Signatory, M/s. P.B.S.R. Developers Private Limited., Having its Registered Office at 8-2-293/82/A/76, First Floor, Road No.9A, Jubilee Hills, Hyderabad-500033.

are directed to show cause on or before 31.03.2023 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 2023

Petition under Section 151 of 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 revised lay out permit No.2755/Layout/CDA/PLG/ HMDA/2002, dated 26.04.2013 and permit No.39591/HO/WZ/Cir.-11/2015, dated 20.01.2015 in File No. B/429/TPS/TP-11/GHMC/2014, and Revised Permit No.53374/HO/WZ/Cir-11/2016, 03.11.2017 in File No.117404/21/02/2017/HO/29, and Order in Lr.No.117404/21/02/2017/HO/29, dated 09.01.2023 passed by 1st respondent and direct 1st respondent not to issue any occupation certificate on the basis of the said permission, in the interest of justice, pending disposal of Writ Petition No.3698 of 2023, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

“Notice before admission.

Mr.Mukheed, learned counsel for respondent No.1 takes notice and seeks time to file counter.

Mr.V.Narasimha Goud, learned counsel for respondent No.2 takes notice and seeks time to file counter.

Learned counsel for the petitioner is permitted to take out personal notice on respondent Nos.3 and 4 through ‘RPAD’ and file proof of service.

Respondent No.3 has applied for lay out in Survey No.31 of Gachibowli village, Serilingampally Mandal, Ranga Reddy District. After considering the documents enclosed in support of the lay out, the lay out was released vide



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letter No.2755/Final/Layout/CDA/2022, dated 23.08.2004 subject to certain conditions:

“Condition No.12 of the layout states that there will not be any revision of this final layout communicated to the developer”.

Basing on the final layout, the petitioner and others have purchased the constructed villas in the said lay out. While the matter stood thus, respondent No.3 has applied for revision of layout and requested respondent Nos.1 and 2 to change the open space earmarked for the park to an extent of 1718 Sq.yards with other lands available in the said layout by executing the relinquishment deed. Respondent Nos.1 and 2 have accepted the said relinquishment deed and now they are proposing to release the occupancy certificate in favour of respondent No.3. As such, the procedure followed by respondent Nos.1 and 2 in issuing the revised lay out is *prima-facie* not permissible.

In the circumstances, there shall be interim direction not to release Occupancy Right Certificate in favour of respondent No.3 by accepting relinquishment deed for proposal of the conversion of the public park as shown in the final layout.

Post on 31.03.2023.”

SD/- P. PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Greater Hyderabad Municipal Corporation, Office of the Commissioner, Town Planning Section (HO), GHMC, Tank Bund, Hyderabad.
2. The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, District Commercial Complex, Administrative 'L' Block, Tarnaka, Hyderabad,
3. Sri B.S.Reddy, Authorized Signatory, M/s. Patel Engineering Limited., a registered company, Having its Registered Office at Patel Estate Road, Jogeshwari (West), Mumbai-400015 and branch at H.No.6-3-635, Akash Ganga, 4th Floor, Khairatabad, Hyderabad.
4. Sri Vineet Aggarwal, Authorized Signatory, M/s. P.B.S.R. Developers Private Limited., Having its Registered Office at 8-2-293/82/A/76, First Floor, Road No.9A, Jubilee Hills, Hyderabad-500033 (RR 1 to 4 by RPAD along with a copy of petition and affidavit).
5. One CC to M/s. M. SRINIVAS, Advocate [OPUC].
6. One spare copy.



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HIGH COURT

CVBRJ

DATED: 16/02/2023

POST ON 31.03.2023

NOTICE BEFORE ADMISSION

WP.No.3698 of 2023

INTERIM DIRECTION

