

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

TUESDAY, THE TWENTY THIRD DAY OF FEBRUARY
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO: 4189 OF 2021

Between:

1. A.Premalatha, W/o. Krishna Reddy.
2. K.Pandurangaiah, S/o. K. Lakshmaiah.
3. Sangam Ashok Kumar, S/o. S.Nandagopal.
4. D.Prem Kumar, S/o. Late D Eswaraiah
5. J. Lakshmi, W/o. Eswaraiah.
6. S. Janga Reddy, S/o. Late S. Malla Reddy.
7. S. Pavani, W/o. S. Janga Reddy.
8. N. Malleswari, W/o. N. Ranga Rao.
9. L. Krishna Reddy, S/o. L. Papi Reddy.
10. R.Jangaiah, S/o. R. Anjaiah.

Petitioners

AND

1. Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Tank Bund, Hyderabad.
 2. The Deputy Commissioner, Circle No. 4 (GHMC), Greater Hyderabad Municipal Corporation, L.B.Nagar, Hyderabad.
 3. State of Telangana, Rep. by its Secretary, Municipal Administration Department, Secretariat, Hyderabad.
 4. The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad.
 5. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Circle 1, Charminar, Hyderabad.
 6. A. Mamatha, W/o. Rajeswar Reddy, R/o. H.No.16-1-485/344, Flat No. 101/A, MIPG Studios, Saidabad, Hyderabad.
- (RR1, 2 Cause Title is amended as per Court Order dated 23.02.2021 in IA. No. 2 of 2021)

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 a writ order, or direction especially in the nature of Writ of Mandamus declaring the inaction of the official respondents herein in making illegal construction on the existing 20 feet road between the plots 1, 2, 8, 9 and 19, 18, 11 and 10 of the petitioners herein situated in Survey No.107, at Pawanapuri Colony, Saidabad, Hyderabad as illegal, arbitrary and in violation of article 14 and 16 of the Constitution of India and consequently direct the official respondents herein to stop the illegal construction which is being made by the 6th Respondent herein on the existing 20 feet road between the plot Nos. 1, 2, 8, 9 and 19, 18, 11 and 10 of the petitioners situated in Survey No.107, at Pawanapuri Colony, Saidabad, Hyderabad.

IA NO: 1 OF 2021

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 the official respondents herein to stop the illegal construction which is being made by the 6th Respondent herein on the existing 20 feet road between the plots 1, 2, 8, 9 and 19, 18, 11 & 10 of the petitioners herein situated in Survey No.107, at Pawanapuri Colony, Saidabad, Hyderabad, pending disposal of WP 4189 of 2021, 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 B KAVITA YADAV, Advocate for the Petitioners, Sri Sampath Prabhakar Reddy, Advocate for the Respondent Nos.1,2,4 & 5, GP for GHMC, for the Respondent No.3, the Court made the following.

ORDER:

Sri Kanakamedala Ravindra Reddy, the learned counsel, takes notice on behalf of the respondent No 6, and seeks time for filing counter.

Learned Standing Counsel also seeks time for getting necessary instructions.

Learned counsel for the petitioners states that the respondent No.6 is grabbing open areas and roads, which are laid by the Municipal Authorities. Learned counsel further states that drainage lines have also been laid through the roads.

Having regard to the fact that there is no permission for making any construction or even construction of compound wall, and also the photographs filed by the petitioners show the existence of a road as well as drainage constructed by the Municipality, there shall be an interim direction to the official respondents to forthwith stop the construction, which is being made by respondent No.6. The respondent No.6 is also directed not to make any construction over the subject land.

Post on 09.03.2021.

**SD/- K.AMAJI
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund, Hyderabad.
2. The Deputy Commissioner, Circle No. 4 (GHMC), Greater Hyderabad Municipal Corporation, L.B.Nagar, Hyderabad.
3. The Secretary, Municipal Administration Department, State of Telangana, Secretariat, Hyderabad.
4. The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad.
5. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Circle 1, Charminar, Hyderabad.
6. A. Mamatha, W/o. Rajeswar Reddy, R/o. H.No.16-1-485/344, Flat No. 101/A, MIPG Studios, Saidabad, Hyderabad. (1 to 6 by RPAD)
7. One CC to M/s B KAVITA YADAV Advocate [OPUC]
8. Two CCs to GP for GHMC, High Court at Hyderabad. (OUT)
9. One spare copy

mvj

HIGH COURT

AAR,J

DATED:23/02/2021

POST ON 09-03-2021

ORDER

WP.No.4189 of 2021

DIRECTION

