

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**
WEDNESDAY, THE FOURTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HON'BLE SRI JUSTICE B.VIJAYSEN REDDY
WRIT PETITION NO: 3857 OF 2024

Between:

Ganesh Bigala, S/o. Bigala Krishna Murthy

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. 120423/GHMC/19182/2021 dated 18-01-2022 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 direct the respondents to reconsider the Building Permit No.120423/10463/GHMC/2021 dated 31-12-2021 in respect of Plot No.527, in Survey No.78 to 93, admeasuring 300 Sr. Yards, situated at Raja Rajeswara Nagar, Kondapur (V), Serilingampally (M), Ranga Reddy District, T. S., and bounded by North: Plot No.528; South: Plot No.526; East: 60 Feet Wide Road, West: Plot No.530, without reference to Revocation Letter vide Lr. No. 120423/GHMC/19182/2021 dated 18-01-2022 and without insisting for production of clearance certificate/NOC from ULC authorities;

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 re consider the Building Permit No.120423/10463/GHMC/2021 dated 31-12-2021 in respect of Plot No.527, in Survey No.78 to 93, admeasuring 300 Sr. Yards, situated at Raja Rajeswara Nagar, Kondapur (V), Serilingampally (M), Ranga Reddy District, T. S., and bounded by North: Plot No.528; South: Plot No.526; East: 60 Feet Wide Road, West: Plot No.530. without reference to Revocation Letter vide Lr. No. 120423/GHMC/19182/2021 dated 18-01-2022 and without insisting for production of

clearance certificate/NOC from ULC authorities, Pending disposal of WP 3857 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 23.11.2023 was passed in W.P.No.32086 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.120423/10463/GHMC/2021 dated 31.12.2021 of the petitioner without reference to the Revocation Letter No.120423/GHMC/19182/2021 dated 18.01.2022 and without insisting upon production of clearance certificate/NOC from the ULC authorities in respect of Plot No.527 in Survey No.78 to 93, admeasuring 300 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/- A.V.S. PRASAD
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:14/02/2024

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

ORDER

WP.No.3857 of 2024

INTERIM DIRECTION

