

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

WEDNESDAY, THE TWENTY SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY

**:PRESENT:
THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

WRIT PETITION NO: 6571 OF 2020

Between:

Khaja Moinuddin, S/o. Mahaboob Ali,

Petitioner

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat Buildings, Hyderabad.
2. The State of Telangana, Rep. by its Principal Secretary, R and B Department, Secretariat Buildings, Hyderabad.
3. The Municipal Commissioner, Mahabubnagar, Telangana.
4. The District Collector, Mahabubnagar District, Mahabubnagar, Telangana.
5. The Superintendent Engineer, R and B Circle, Mahabubnagar, Telangana.
6. The Regional Deputy Director of Town and Country Planning, Hyderabad, Telangana.

Respondents

WHEREAS the Petitioner above named through his Advocate Sri Chaithanya K, 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 a Writ, order or direction more particularly of the nature of Writ of Mandamus declaring the action of the Respondent Nos.3 and 5 in attempting to demolish the shops of the Petitioner without service of notice and payment of compensation as highly illegal, arbitrary and in violation of principles of natural justice, Article 14, 19, 21 and 300-A of the Constitution of India and provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and consequently direct the Respondents No. 3 and 5 to initiate the land acquisition proceedings under the Land Acquisition Act, 2013, if the property of the Petitioner is required for the road widening by paying suitable compensation for the said acquisition;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Chaithanya K, 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.

You viz:

1. The Principal Secretary, Municipal Administration and Urban Development Department, State of Telangana, Secretariat Buildings, Hyderabad.
2. The Principal Secretary, R and B Department, State of Telangana, Secretariat Buildings, Hyderabad.
3. The Municipal Commissioner, Mahabubnagar, Telangana.
4. The District Collector, Mahabubnagar District, Mahabubnagar, Telangana.
5. The Superintendent Engineer, R and B Circle, Mahabubnagar, Telangana.
6. The Regional Deputy Director of Town and Country Planning, Hyderabad, Telangana.

are directed to show cause on or before 22-06-2020 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 2020:

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 direct the Respondents not to dispossess or demolish the premises of the Petitioner situated in Ward No.1, Block No.5, Ambedkar Nagar, Mahabubnagar Town, pending disposal of WP No. 6571 of 2020, on the file of the High Court.

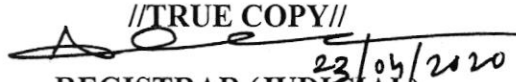
The Court made the following: ORDER:

“Notice before admission.

Post on 22-06-2020.

No action shall be taken during lockdown period, and further no coercive steps or demolition action shall be undertaken without following due process of law.”

Sd/- SRI JUSTICE CHALLA KODANDA RAM

//TRUE COPY//

22/04/2020
REGISTRAR (JUDICIAL)


SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, State of Telangana, Secretariat Buildings, Hyderabad.
2. The Principal Secretary, R and B Department, State of Telangana, Secretariat Buildings, Hyderabad.
3. The Municipal Commissioner, Mahabubnagar, Telangana.
4. The District Collector, Mahabubnagar District, Mahabubnagar, Telangana.
5. The Superintendent Engineer, R and B Circle, Mahabubnagar, Telangana.
6. The Regional Deputy Director of Town and Country Planning, Hyderabad, Telangana.
(Addressees 1 to 6 BY RPAD along with a copy of petition and affidavit)
7. Two CCs to GP for Municipal Admn., High Court of Telangana at Hyderabad (OUT)
8. one CC to Sri K.Chaitanya, Advocate (OPUC)
9. one Spare Copy

HIGH COURT

CKR,J

DATE: 22-04-2020

NOTE: POST ON 22-06-2020

NOTICE BEFORE ADMISSION

WP. NO.6571 OF 2020

DIRECTION

