

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

WEDNESDAY, THE THIRD DAY OF JUNE
TWO THOUSAND AND TWENTY

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

WRIT PETITION NO: 7528 OF 2020

Between:

T. Ajay Kumar, S/o T. Sathaiah,

Petitioner

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration Urban Development Department, Secretariat, Hyderabad.
2. Karimnagar Municipal Corporation, Rep. by its Commissioner, Karimnagar.

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 more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in directing the Petitioner's father to file his explanation to their Intimation in Lr.No.G1/01/2020 dated 28-05-2020 within 2 days after such intimation and not affording any opportunity to the Petitioner and without any notice to him, trying to proceed to demolish a portion of the house is highly arbitrary, illegal and unconstitutional and violates principles of natural justice and consequently direct the 2nd respondent Corporation not to proceed with further and not to interfere with peaceful possession and enjoyment of the Petitioner's house bearing No. 2-7-202, Beside Rice Millers Association, behind Bus Stand, Natraj Theatre Locality, Karimnagar without due process of law;

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 stay of all further proceedings pursuant to Intimation in Lr. No. G1/01/2020 dated 28-05-2020 issued by the 2nd respondent, including demolition of house bearing No. 2-7-202, beside Rice Millers Association, behind Bus Stand, Natraj Theatre Locality, Karimnagar, pending disposal of WP 7528 of 2020, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed herein, and upon hearing the arguments of Sri Mahadev Anyarambhatla, Advocate for the Petitioners, and of the GP for Municipal Admn., for the Respondent No.1, and Standing Counsel for Respondent No.2 the Court made the following.

ORDER:

“Heard learned counsel for the petitioner and learned Standing Counsel for the Corporation.

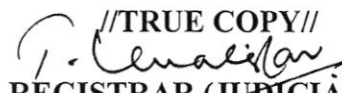
In the light of the judgment and decree in O.S.No. 225 of 2012, dated 21.12.2016, wherein the Municipal Commissioner is a party respondent, the objections raised by the petitioner *vide* letter dated 30.05.2020, in response to the notice dated 20.05.2020, shall be considered and necessary orders be passed. While considering the objections, the request of the petitioner to independently survey, verify and measure the alleged occupation of the petitioner shall also be considered and a reasoned order may be made by the

Commissioner. However, the said order, in the event of the petitioner's contention not being accepted, the same shall not be interfered for a period of one week.

Copy of the order that may be made shall be made available to the petitioner on the same day.

Post on 17.06.2020."

SD/- SRI JUSTICE CHALLA KODANDA RAM

//TRUE COPY//

REGISTRAR (JUDICIAL-II)
PSV-AR
3/6/20


SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration Urban Development Department, State of Telangana, Secretariat, Hyderabad.
2. The Commissioner, Karimnagar Municipal Corporation, Karimnagar. (Addressees 1 & 2 BY RPAD)
3. Two CCs to GP for Municipal Admn., High Court of Telangana, at Hyderabad (OUT)
4. one CC to Sri Mahadev Anyarambthala, Advocate (OPUC)
5. one Spare Copy

HIGH COURT

CKR,J

DATE: 3-6-2020

ORDER

WP NO. 7528 OF 2020

DIRECTION

