

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

MONDAY, THE FIFTEENTH DAY OF APRIL TWO THOUSAND AND NINETEEN

:PRESENT:

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO: 7848 OF 2019

Between:

Sri. S. Venkatesh Goud, S/o. Late S. Yadaiah

...Petitioner

AND

1. The State of Telangana, Municipal Administration & Urban Development Rep by its Principal Secretary Secretariat at Hyderabad.
2. The Greater Hyderabad Municipal Corporation, Head Office at Tankbund, Hyderabad Rep. by Commissioner.
3. The Greater Hyderabad Municipal Corporation, Circle 1, Kapra, Hyderabad Rep. by Deputy Commissioner.
4. S. Sudharshan Goud, S/o. late S. Yadaiah, Aged about 56 years, Occ: Business, R/o. H.No. 1-9-365, Kushaiguda, Kapra, ECIL Post, Hyderabad -62.
5. Sri. Vinaykumar Ravilala, S/o. R.Y.Rathnam, Aged about 38 years, Occ: radiologist, R/o. H.No. 1-1-236/2/182, Srinivasanagar Colony, Kapra, ECIL Post, Hyderabad -62.
6. M/s. Susmitha Scan Center, Rep by Sri. R.Y.Rathnam, S/o. Late R. Veeraiah, Aged about 75 years, Occ: Business, R/o.H.No. 1-1-236/2/182, Srinivas Nagar Colony, Kapra, ECIL Post, Hyderabad – 62.

...Respondents

WHEREAS the Petitioner above named through his Advocate M/s T SURYA SATISH 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 one in the nature of writ of mandamus declaring the inaction of the official Respondents in not demolishing and removing the illegal structure constructed by the 4th and 5th Respondents by encroaching on the six meters area left for the sake of road widening and set back, while obtaining the permission for construction of commercial shops and residential building in open plot bearing survey no. 263/Part situated at Kapra Village, falling under 3rd Respondent vide proceedings no. BA/G1/109/2003-2004 dated 05.08.2003 as illegal, arbitrary, violative of section 452, 453, 636 of the GHMC Act, 1955, colorable exercise of power, abatement and corrupt practice and violative of Articles 14 of the Constitution of India and consequently direct the official Respondents to remove the said illegal structure forthwith.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri T SURYA SATISH, 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 & Urban Development, State of Telangana, Secretariat at Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation, Head Office at Tankbund, Hyderabad.
3. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Circle 1, Kapra, Hyderabad.

4. S. Sudharshan Goud, S/o. late S. Yadaiah, Aged about 56 years, Occ: Business, R/o. H.No. 1-9-365, Kushaiguda, Kapra, ECIL Post, Hyderabad -62.
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6. M/s. Susmitha Scan Center, Rep by Sri. R.Y.Rathnam, S/o. Late R. Veeraiah, Aged about 75 years, Occ: Business, R/o.H.No. 1-1-236/2/182, Srinivas Nagar Colony, Kapra, ECIL Post, Hyderabad - 62.

are directed to show cause on or before 20-04-2019 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.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission.

Learned counsel for the petitioner is permitted to take out personal notice to respondents 4 to 6 by registered post with acknowledgment due and file proof of service.

List on 20.04.2019 in motion list, along with W.P.No.22555 of 2018.

**Sd/- T. RANGA BABU
ASSISTANT REGISTRAR**

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Municipal Administration & Urban Development, State of Telangana, Secretariat at Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation, Head Office at Tankbund, Hyderabad.
3. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Circle 1, Kapra, Hyderabad.
4. S. Sudharshan Goud, S/o. late S. Yadaiah, Aged about 56 years, Occ: Business, R/o. H.No. 1-9-365, Kushaiguda, Kapra, ECIL Post, Hyderabad -62.
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7. One CC to M/s. T SURYA SATISH, Advocate [OPUC].
8. Two CCs to GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (TG), High Court for the State of Telangana at Hyderabad [OUT].
9. One spare copy
ZEE

HIGH COURT

CKRJ

DATED:15/04/2019

LIST ON 20.04.2019 IN MOTION LIST
ALONG WITH W.P.NO.22555 OF 2018

NOTICE BEFORE ADMISSION

WP.No.7848 of 2019

