

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD  
THURSDAY, THE EIGHTEENTH DAY OF APRIL TWO THOUSAND AND NINETEEN  
:PRESENT:

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAO

IA No. 1 OF 2019

IN

WP NO: 8265 OF 2019



Between:

1. John Madhukar, S/o. Late M. Ananta Rao Aged about 40 years, Occ: Pvt Employee, R/o. H.No.8-3-166/C/2, Erragadda, Hyderabad
2. M. Vijaya Neeraja, D/o. Late M. Ananta Rao Aged about 48 years, Occ: Teacher, R/o. H.No.8-3-166/C/2, Erragadda, Hyderabad

...Petitioner(s)  
(Petitioner in WP.No.8265 OF 2019  
on the file of High Court)

AND

1. The State of Telangana, Rep by its Principal Secretary Municipal Administration and Urban Development Department Secretariat, Hyderabad.
2. Greater Hyderabad Municipal Corporation, Rep by its Commissioner Tank Bund Road, Hyderabad, T.S.
3. The Deputy Commissioner, Circle No. 19, GHMC Khairatabad, Hyderabad, T.S.
4. The Assistant City Planner, Circle No.19, Yousufguda, Hyderabad, T.S.
5. M/s Empreros Constructions, Rep by its managing partner Mohammed Bilal, S/o. Mohd Abdul Salem Aged about 26 years, Occ: Business, R/o.H.No.8-3-168/B/2/1, Erragadda, Hyderabad.

...Respondent(s)  
(Respondents in-do-)

**Counsel for the Petitioners : M/s. M.A.K MUKHEED**

**Counsel for the Respondent No.1 : GP FOR MCPL ADMN & URBAN DEV**

**Counsel for the Respondent Nos.2 to 4 : L. VENKATESWAR RAO**

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 not to interfere with petitioners peaceful possession in respect of H.No.8-3- 166/C/2, situated at Erragadda, Yousufguda, Hyderabad by suspending the order No.166/TPS/CIR 19/WZ/GHMC/2018 Dated 29-03-2019 served on 16-04-2019 without issuing prior notice and without giving opportunity of personal hearing, pending disposal of WP.No.8265 of 2019, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following.  
(The receipt of this order will be deemed to be the receipt of notice in the case).

**ORDER:**

Heard the learned counsel for the petitioners.

Learned Government Pleader for Municipal Administration, appearing for respondent No.1 and Sri L.Venkateshwara Rao, learned Standing Counsel, appearing for respondent Nos. 2 to 4, seeks time for filing counter affidavits.

As long as the construction of the petitioners is as per the sanctioned plan, official respondents shall not interfere with such construction.

However, it is needless to observe that if the construction of the petitioner is not in conformity with the sanctioned plan, it is open for the official respondents to take appropriate action in accordance with law.

Notice to private respondent No.5.

Learned counsel for the petitioners is also permitted to take out personal notice to private respondent No.5 and file proof of service.

Post on 27.06.2019.

Sd/- M. MANJULA  
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary Municipal Administration and Urban Development Department, State of Telangana, Secretariat, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation Tank Bund Road, Hyderabad, T.S.
3. The Deputy Commissioner, Circle No. 19, GHMC Khairatabad, Hyderabad, T.S.
4. The Assistant City Planner, Circle No.19, Yousufguda, Hyderabad, T.S.
5. Mohammed Bilal, S/o. Mohd Abdul Salem Aged about 26 years, Occ: Business, Managing Partner, M/s Emperors Constructions, R/o.H.No.8-3-168/B/2/1, Erragadda, Hyderabad (RR 1 to 5 By RPAD).
6. One CC to M/s. M.A.K MUKHEED, Advocate [OPUC].
7. Two CCs to GP FOR MCPL ADMN & URBAN DEV (TG), High Court for the State of Telangana at Hyderabad [OUT].
8. One spare copy  
SSR

HIGH COURT

CKRJ

DATED:18/04/2019

ORDER

I.A.NO.1 OF 2019  
IN  
WP.No.8265 of 2019

DIRECTION

