

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

THURSDAY, THE FIFTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO: 9581 OF 2021

Between:

1. Kadari Anjaiah, S/o. Late Rangaiah,
2. Kadari Bhagyamma, W/o. Late Rangaiah,
3. Thotakuri Rama Devi, D/o. Late Kadari Rangaiah, W/o. T. Venkatesh Yadav,

Petitioners

AND

1. The State of Telangana, rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Hyderabad
2. The Hyderabad Metropolitan Development Authority, rep. by its Metropolitan Commissioner, Swarna Jayanthi Commercial Complex, Ameerpet, Hyderabad.
3. The Jalpally Municipality, rep. by its Commissioner, Jalpally, Ranga Reddy District.
4. The Tahsildar, Balapur Mandal, Balapur, Ranga Reddy District.
5. The Station House Officer, Balapur Police Station, Balapur, Ranga Reddy District.
6. Muhammed Tariq Yousuf, S/o. Mirza Yousuf Baig, R/o. H.No.18-2-598, Jangammet, Falaknama, Hyderabad.
7. Subhash Lekhraj Gupta @ Subhash Kumar, S/o. Lekh Raj Gupta, R/o. Plot No.252, Road No.3, Banjara Hills, Hyderabad
8. Gita Subhash Gupta @ Geeta S.K.Gupta, W/o. Subhash Lekh Raj Gupta, R/o. Plot No. 252, Road No.3, Banjara Hills, Hyderabad.
9. Sunaina Sood @ Sunitha Gupta, W/o. Akhilesh Gupta, R/o. Plot No.15, Polisetty Enclave, Vikrampur, Secunderabad.
10. Shammik Gupta, S/o. Subhash Lekh Raj Gupta, R/o. Plot No.4, Pentacle, Vivek Singh Lane, 61-DB, Dulabai Desai Road, Mumbai, State of Maharashtra.
11. Kumud Jamnadas Dharaiya, S/o. Jamnadas Dharaiya, R/o. Minarette Apartments, Dharabai cross Road, Andheri west, Mumbai, State of Maharashtra

Respondents

WHEREAS the Petitioners above named through their Advocate Sri D.B. Chaitanya, 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 of Mandamus or any other appropriate writ and direct the Respondents 2 and 3 to forthwith demolish the illegal iron sheet fencing/compound wall erected by the private party respondents in / part of the land in Sy.Nos.144 and 145 of Balapur village and Mandal, Ranga Reddy District and take steps to see that no fencing/compound wall is raised by the private party respondents or any other persons without a valid permission granted by the Town Planning Authorities and on a protected tenant land i.e., Ac.348.35 guntas in Sy.No.144 and 145 of Balapur village and Mandal, Ranga Reddy District;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein, and upon hearing the arguments of Sri D.B.Chaitanya, Advocate for the Petitioners, 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, Hyderabad
2. The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, Swarna Jayanthi Commercial Complex, Ameerpet, Hyderabad.
3. The Commissioner, Jalpally Municipality, Jalpally, Ranga Reddy District.
4. The Tahsildar, Balapur Mandal, Balapur, Ranga Reddy District.
5. The Station House Officer, Balapur Police Station, Balapur, Ranga Reddy District.
6. Muhammed Tariq Yousuf, S/o. Mirza Yousuf Baig, R/o. H.No.18-2-598, Jangammet, Falaknama, Hyderabad.
7. Subhash Lekhranj Gupta @ Subhash Kumar, S/o. Lekh Raj Gupta, R/o. Plot No.252, Road No.3, Banjara Hills, Hyderabad
8. Gita Subhash Gupta @ Geeta S.K.Gupta, W/o. Subhash Lekh Raj Gupta, R/o. Plot No. 252, Road No.3, Banjara Hills, Hyderabad.
9. Sunaina Sood @ Sunitha Gupta, W/o. Akhilesh Gupta, R/o. Plot No.15, Polisetty Enclave, Vikramপুরi, Secunderabad.
10. Shammik Gupta, S/o. Subhash Lekh Raj Gupta, R/o. Plot No.4, Pentacle, Vivek Singh Lane, 61-DB, Dulabai Desai Road, Mumbai, State of Maharashtra.
11. Kumud Jamnadas Dharaiya, S/o. Jamnadas Dharaiya, R/o. Minarette Apartments, Dharabai cross Road, Andheri west, Mumbai, State of Maharashtra

are directed to show cause on or before 14-06-2021 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 2021:

Petition under Section 151 of CPC, praying that in the circumstances stated in the affidavit filed in the writ petition, the High Court may be pleased to direct the respondents 2 and 3 to forthwith demolish the illegal fencing/compound Wall raised by the private party respondents in/part of the land in Sy.Nos.144 and 145 admeasuring Ac.348.35 guntas of Balapur Village and Mandal, Ranga Reddy District, pending disposal of WP No. 9581 of 2021, on the file of the High Court.

The Court made the following: ORDER:

“Notice before admission.

Learned counsel for the petitioners is directed to take out personal notice to respondent Nos. 6 to 11 and file proof of service into Registry.

Post on 14-06-2021.

In the meanwhile, the competent authority shall consider the representation/complaint made by the petitioners on 30-03-2021, and if the allegations made therein are found to be true, the official respondents shall take necessary action forthwith, strictly in accordance with law, duly putting the petitioner as well as respondent Nos. 6 to 11 on notice and affording them an opportunity of hearing, and file an Action Taken Report by the next date of hearing.

Registry shall make an endorsement on the writ petition to the effect that the writ petition shall not be permitted to be withdrawn.”

//TRUE COPY//

**SD/- K.SHYLESHI
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, State of Telangana, Secretariat, Hyderabad
2. The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, Swarna Jayanthi Commercial Complex, Ameerpet, Hyderabad.
3. The Commissioner, Jalpally Municipality, Jalpally, Ranga Reddy District.
4. The Tahsildar, Balapur Mandal, Balapur, Ranga Reddy District.
5. The Station House Officer, Balapur Police Station, Balapur, Ranga Reddy District.
6. Muhammed Tariq Yousuf, S/o. Mirza Yousuf Baig, R/o. H.No.18-2-598, Jangammet, Falaknama, Hyderabad.
7. Subhash Lekhraj Gupta @ Subhash Kumar, S/o. Lekh Raj Gupta, R/o. Plot No.252, Road No.3, Banjara Hills, Hyderabad
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9. Sunaina Sood @ Sunitha Gupta, W/o. Akhilesh Gupta, R/o. Plot No.15, Polisetty Enclave, Vikrampur, Secunderabad.
10. Shammik Gupta, S/o. Subhash Lekh Raj Gupta, R/o. Plot No.4, Pentacle, Vivek Singh Lane, 61-DB, Dulabai Desai Road, Mumbai, State of Maharashtra.
11. Kumud Jamnadas Dharaiya, S/o. Jamnadas Dharaiya, R/o. Minarette Apartments, Dharabai cross Road, Andheri west, Mumbai, State of Maharashtra (Addressees 1 to 11 by RPAD along with a copy of petition and affidavit)
12. The Registrar (Judicial-I), High Court of Telangana, at Hyderabad
13. The Section officer, Writ Filing, (non Service), High Court of Telangana, at Hyderabad
14. Two CCs to GP for Municipal Admn, High Court of Telangana, at Hyderabad (OUT)
15. Two CCs to GP for Revenue, High Court of Telangana, at Hyderabad (OUT)
16. Two CCs to GP for Home, High Court of Telangana, at Hyderabad (OUT)
17. One CC to Sri D.B. Chaitanya, Advocate (OPUC)
18. one Spare Copy

HIGH COURT

AAR,J

DATE: 15-04-2021

NOTICE BEFORE ADMISSION

WP. NO. 9581 OF 2021

DIRECTION

