IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE TENTH DAY OF MARCH
TWO THOUSAND AND TWENTY ONE

:PRESENT:
THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO: 11739 OF 2020

Between:

1. Smt.B.Prasanna Rani, W/o B.Ranga Rao.
2. Sri.B.Ranga Rao, S/o Late B.Sudarshan.
3. Smt M.Kavitha, W/o M.Krishna Reddy.
4. Sri.M.Krisha Reddy, S/o M.Dharma Reddy.
5. Sri.Poonam Chand Panwar, S/o Ratanlal Pawar.
6. Sri. Bezawada Prudvi Krishna, S/o B.Laxmana Das.
7. Sri.V.Shekar, S/o Vishnu Murthy.
8. Smt.B.Vijaya, W/o B.Janardhan.

Petitioners

AND

1. The State of Telangana, Municipal Administration and Urban Development (MA and UD) Department Telangana Secretariat, Hyderabad Represented by its Principal Secretary to Government.
2. The Director of Municipal Administration Department, 640, AC Guards, MasabTank, Opp PTI Building Hyderabad 500 004, Represented by its Director.
3. The Commissioner, Greater Hyderabad Municipal Corporation, Tankbund Road, Hyderabad-500 001.
4. The Deputy Commissioner, GHMC, Hyderabad, L.B.Nagar Circle-III, Saroornagar Village and Mandal, Ranga Reddy District-500 035.
5. The Office of the Asst city planner, Greater Hyderabad Municipal Corporation, Abids Circle-9, Abids, Hyderabad-500 001.
6. Smt.Urmila Devi, W/o P.Nageshwar Rao, R/o H.No.2-3-879, Road No.12, Co-Operative Bank Colony, Nagole, Uppal Mandal, Medchal Malkajgiri District-500 068.
7. M/s Sai Teja Constructions, Add. H.No.11-13-5/2/a, Road No.1, Alkapuri Colony, Saroornagar Mandal, Ranga Reddy District-500 035.
   Represented by its Partners.
8. Sri.T.Venkateswarlu, S/o Chinna Venkata Narsaiah, R/o H.No.11- 13-5/2/a, Road No.1, Alkapuri Colony, Saroornagar Mandal, Ranga Reddy District-500 035.
9. Sri.Bijilee Sadanand, C/o . H.No.11-13-5/2/a, Road No.1, Alkapuri Colony, Saroornagar Mandal, Ranga Reddy District-500 035.
10. J.Balraj, S/o Balaiah, R/o Flat No.103, Flat No.301, Sai Teja Towers, Bandla Guda X Roads, Bandlaguda, Ranga Reddy District-500 068.

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 or any other appropriate writ.

(iv) To declare the action of 3rd and 4th Respondents in so far as not taking any action against the 6th to 10th Respondents herein for their illegal constructions in gross violation to the sanctioned plan deviating to the sanctioned building permission permit No.50303/HO/EZ/Cir-2016, dt.13.05.2016, as illegal, arbitrary and unjust.

(v) and consequently direct the 3rd and 4th Respondents to demolish the illegal construction at Plot No.47, 48, 54 and 55 forming part of Survey No.30, 31(Part) and 32 (Part), total admeasuring 978 Sq.yds Situated at Bandlaguda Village under GHMC, L.B.Nagar Circle, Uppal Mandal, Medchall Malkajgiri District.

IA NO: 1 OF 2020

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 stay the illegal construction in gross violation of sanctioned plan without leaving mandatory setbacks and by deviating to the sanction plan and further direct not to change the nature of the property on the ground floor and trying to construct shops in the place earmarked for car parking and also not change the driveway leading from ground to cellar and erected separate approach and gate to the cellar from the western side of the premises putting the Petitioners herein to grave difficulty and risk at SAI TEJA TOWERS. Further Petitioners herein specifically state that they are inhabitants/residents along with others at Plot No.47, 48, 54 and 55 forming part of Survey No.30, 31(Part) and 32 (Part), total admeasuring 978 Sq.yds Situated at Bandlaguda Village under GHMC, L.B.Nagar Circle, Uppal Mandal, Medchal Malkajgiri District, Pending disposal of WP 11739 of 2020, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and order the High Court dated 05-11-2020, 08-12-2020, 28-12-2020 & 09.02.2021 made herein and upon hearing the arguments of Sri A LAXMAN, Advocate for the Petitioners, GP FOR MCPL ADMN & URBAN DEV (TG) for the Respondent NO.1, Sri Vishwanath Manoj, Advocate for the Respondent No.6 and Dr. S. Sai Prasd, Advocate for the Respondent Nos.7 to 10, the Court made the following.

ORDER:

At request, post on 22.03.2021, for counter.
Interim order granted earlier shall stand extended till then.

SD/- I.NAGA LAKSHMI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI A LAXMAN, Advocate [OPUC]
2. Two CCs to GP FOR MCPL ADMN & URBAN DEV (TG), High Court at Hyderabad. [OUT]
3. One spare copy

HIGH COURT

AAR,J

DATED: 10.03.2021

NOTE: POST ON 22.03.2021

ORDER

WP.No.11739 of 2020

INTERIM ORDER EXTENDED