

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
THURSDAY, THE TWENTY SEVENTH DAY OF AUGUST TWO THOUSAND AND
TWENTY

:PRESENT:

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

IA No. 1 OF 2020

IN

WP NO: 14012 OF 2020

Between:

Dussa Ashok Kumar, S/o Bondyalu,

...Petitioner

(Petitioner in WP 14012 OF 2020
on the file of High Court)

AND

1. The State of Telangana, represented by its Principal Secretary, Revenue Department, Burgula Rama Krishna Rao Bhavan, Tank Bund, Secretariat, Hyderabad.
2. The State of Telangana, represented by its Secretary, Municipal Administration and Urban Development Dept., Burgula Rama Krishna Rao Bhavan, Tank Bund, Secretariat, Hyderabad.
3. Collector, Warangal, Warangal Urban District
4. Revenue Divisional Officer, Warangal, Warangal Urban District.
5. Greater Warangal Municipal Corporation, rep. by Commissioner, Warangal.

...Respondents

(Respondents in-do-)

Counsel for the Petitioner

:SRI P PRABHAKAR REDDY

Counsel for the Respondents 1,3 & 4

:GP FOR REVENUE

Counsel for the Respondent 2

:GP FOR MUNICIPAL ADMINISTRATION
AND URBAN DEVELOPMENT

Counsel for the Respondent 5

:STANDING COUNSEL FOR MUNICIPAL
CORPORATION

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 respondent not to dispossess the petitioner from the property house bearing No.7-7-369/2 situated in Sy.no.764 and 757 situated at Mulug, Hanamkonda, Warangal without due process of law, pending disposal of WP No. 14012 of 2020, 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 order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

As per the writ affidavit, petitioner is the rightful owner of the subject property. However, the respondent Corporation had removed a portion of his property on the ground that he had occupied Nala.

Learned Standing Counsel appearing for the Municipal Corporation would submit that on account of the unauthorised construction, the Nala was opened and inundation has been taken place and as it was a great urgency requiring the obstruction be removed for free flow of water, a part of the property has already been removed. The respondent Corporation is willing to examine once again the right and title over the property, though preliminary enquiry revealed that the petitioner does not have any right in the subject property, and in the event of the

Corporation finding that the petitioner is the owner, they are willing to offer compensation in the form of TDRs.

In those circumstances, the respondent Corporation is directed to issue notice to the petitioner specifically setting out its stand. On receiving such notice, the petitioner is at liberty to submit his claim. Thereupon, the respondent Corporation shall consider the same and pass necessary orders. In this process, if there is any settlement reached between the parties, they shall report to the Court, otherwise, the respondents to file counter-affidavits by making their stand clear, so that, this matter can be decided as per law in due course. This entire exercise shall be completed within a period of six (6) weeks from today.

//TRUE COPY//

SD/- K.SAILESHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana, Burgula Rama Krishna Rao Bhavan, Tank Bund, Secretariat, Hyderabad.
2. The Secretary, Municipal Administration and Urban Development Dept., State of Telangana, Burgula Rama Krishna Rao Bhavan, Tank Bund, Secretariat, Hyderabad.
3. Collector, Warangal, Warangal Urban District
4. Revenue Divisional Officer, Warangal, Warangal Urban District.
5. The Commissioner, Greater Warangal Municipal Corporation, Warangal. (1 to 5 by RPAD)
6. One CC to SRI. P PRABHAKAR REDDY Advocate [OPUC]
7. Two CCs to GP FOR REVENUE, High Court Of Judicature at Hyderabad. [OUT]
8. Two CCs to GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, High Court Of Judicature at Hyderabad. [OUT]
9. One CC to STANDING COUNSEL FOR MUNICIPAL CORPORATION (OPUC)
10. One spare copy



HIGH COURT

CKRJ

DATED:27/08/2020

ORDER

IA.NO.1 OF 2020

IN

WP.No.14012 of 2020

DIRECTION

