

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE THIRTIETH OF AUGUST TWO THOUSAND AND TWENTY FOUR

**:PRESENT:
THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR**

WRIT PETITION NO: 12181 OF 2024

Between:

Sri Biradar Bali Ram, S/o.Mohan Rao, Occ. Business, R/o. H.No.4-7-128/6/3,
Sai Nagar, N.M. Guda, Maruthi Nagar, Attapur Village, Rajendranagar, Ranga
Reddy District, Telangana State.

Petitioner

AND

1. The State of Telangana, Department of Endowments Rep by its Principal Secretary, Secretariat, Hyderabad.
2. The Commissioner of Endowments, Government of Telangana, Tilak Road Hyderabad,
3. The Deputy Commissioner, Endowments, Tilak Road, Hyderabad.
4. The Assistant Commissioner, Endowments, Tilak Road, Hyderabad.
5. The Executive Officer, Sri Brahmachary Mutt, Endowments Department, Attapur Village, Rajendranagar Mandal, R.R. District

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 declaring the action of the respondent.no.5 in issuing the Impugned Notice vide Lr.no.SBM/2024, dated 23-04-2024 and also in interfering into the construction carried out by the Petitioner in House bearing No.4-7-104/1/1/P, admeasuring 222.5 Sq.yards or 186.01 Sq.Meters(Out of 445.00 Sq.Yards) covered in Survey.No.347 situated at Attapur Village, Rajendranagar, Ranga Reddy District, Telangana State, without issuing any notice or following any due process of law as illegal and violative of principles of natural justice and contrary to the Article 21 of the Constitution of India and consequently direct the Respondents No.3 to 5 not to interfere with the possession, enjoyment and construction of the Petitioner in the aforesaid House Premises.

IA NO: 1 OF 2024

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.no.3 to 5 not to interfere with the possession, enjoyment and construction carried out by Petitioner in House Bearing No.4-7-104/1/1/P, admeasuring 222.5 Sq.yards or 186.01 Sq.Meters(Out of 445.00 Sq.Yards) covered in Survey.No.347 situated at Attapur Village, Rajendranagar, Ranga Reddy District pending disposal of WP 12181 of 2024, 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 the order of the High Court dt. 01-05-2024 upon hearing the arguments of Sri K L B KUMAR, Advocate for the Petitioner and GP FOR ENDOWMENTS for the Respondent Nos.1 to 4 and Sri J.R. Manohar Rao, SC for the Respondent No.5, the Court made the following.

ORDER:

The learned Standing Counsel appearing for the respondent No.5 would submit that the petitioner is carrying on construction activity illegally over their land in Sy.No.338 of 334.

On the other hand, the learned counsel for the petitioner would submit that the petitioner is making construction in accordance with the building permission on his land in Sy.No.347.

On the earlier occasion, this Court observed that there is a dispute with regard to the identification of the subject land and directed to submit a survey report before this Court, which has not been submitted till date.

It is made clear that if any construction is made by the petitioner without any permission from the competent authority, there shall be status quo to that extent.

The Registry is directed to list the matter on 05-09-2024.

//TRUE COPY//

SD/- A.V.S.PRASAD
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Department of Endowments, State of Telangana, Secretariat, Hyderabad.
2. The Commissioner of Endowments, Government of Telangana, Tilak Road Hyderabad,
3. The Deputy Commissioner, Endowments, Tilak Road, Hyderabad.
4. The Assistant Commissioner, Endowments, Tilak Road, Hyderabad.
5. The Executive Officer, Sri Brahmachary Mutt, Endowments Department, Attapur Village, Rajendranagar Mandal, R.R. District (1 to 5 by RPAD)
6. One CC to SRI K L B KUMAR Advocate [OPUC]
7. Two CCs to GP FOR ENDOWMENTS, High Court at Hyderabad. [OUT]
8. One spare copy

HIGH COURT

NVSK,J

DATED:30/08/2024

List on 05.09.2024

ORDER

WP.No.12181 of 2024

DIRECTION

