

(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

WEDNESDAY, THE ELEVENTH DAY OF APRIL
TWO THOUSAND AND EIGHTEEN

:PRESENT:
THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION NO: 11625 OF 2018

Between:

1. Kondur Chandrakala, W/o. Late Gopal,
2. Kondur Mallaiah, S/o. Late Gopal,
3. Smt. Jyothi, W/o. Late Suryababu Rao,
4. Kum. Pavani, D/o. Late Suryababu Rao,
5. Kum. Madhavi, D/o. Late Suryababu Rao,
6. Y.Venkatesh, S/o. Late Suryababu Rao,

.....Petitioners

AND

1. The State of Telangana, rep.by its Principal Secretary for Municipal Administration, Secretariat, Hyderabad.
2. The Municipal Commissioner, Nagara Panchayat, Kollapur town, Kollapur Mandal, Nagarkurnool District.
3. Pebba Yella Goud, S/o. Anjaneyulu Goud, age 30 years, Occ- Business R/o. Waridyala, Kollapur town, Nagarkurnool District. Telangana State.

.....Respondents

WHEREAS the Petitioners above named through their Advocate MR.T.L.KRISHNA PRASAD 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, order or direction preferably a writ in the nature of Mandamus declaring that the inaction of the Respondent No. 2 in restrain the Respondent No. 3 who has been constructing a house pending Appeal in A.S No. 18 of 2017 before the Hon'ble Court of IV Additional District and Sessions Judge (Fast Track Court) at Nagarkurnool, without getting permission from the Respondent No.2 and the Town planning authority, despite representations made by the Petitioners is illegal and consequently direct the Respondent No.2 to take action by removing illegal constructions made by the Respondent No.3 in Sy. No.253/A situated at Waridyala Village, Kollapur Mandal, Nagarkurnool District.;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of MR.T.L.KRISHNĀ PRASAD 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. Principal Secretary for Municipal Administration, State of Telangana, Secretariat, Hyderabad.
2. The Municipal Commissioner, Nagara Panchayat, Kollapur town, Kollapur Mandal, Nagarkurnool District.
3. Pebba Yella Goud, S/o. Anjaneyulu Goud, R/o. Waridyala, Kollapur town, Nagarkurnool District. Telangana State.

are directed to show cause 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 2018

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 grant interim stay of construction works executing by the Respondent NO 3 in Sy No. 253/A situated at Waridyala

Village, Kollapur Mandal, Nagarkurnool District pending disposal of the above WP No.11625 of 2018, on the file of the High Court.

The Court made the following Order:

Notice before admission.

Government Pleader for Municipal Administration takes notice for respondent No.1. Sri N.Praveen Kumar takes notice for respondent No.2.

Learned counsel for the petitioners is permitted to take out personal notice to respondent No.3 by registered post with acknowledgment due and file proof of service in the Registry.

Since, admittedly, no permission for construction has been granted to the 3rd respondent by the 2nd respondent, there shall be interim direction as prayed for. Photographs of the existing construction in the subject land taken, within one week from today, shall be filed by the 2nd respondent along with its counter-affidavit.

//TRUE COPY//

**SD/- I. NAGA LAKSHMI
ASSISTANT REGISTRAR**

For ASSISTANT REGISTRAR

To

1. Principal Secretary for Municipal Administration, State of Telangana, Secretariat, Hyderabad.
2. The Municipal Commissioner, Nagara Panchayat, Kollapur town, Kollapur Mandal, Nagarkurnool District.
3. Pebba Yella Goud, S/o. Anjaneyulu Goud, R/o. Waridyala, Kollapur town, Nagarkurnool District. Telangana State. (RR-1 to 3 by RPAD along with copy of petition and affidavit)
4. **One** CC to the MR.T L KRISHNA PRASAD Advocate [OPUC]
5. Two CCs to GP FOR MUNICIPAL ADMN URBAN DEV (TG) ,High Court Of Judicature at Hyderabad. [OUT]
6. One spare copy

HIGH COURT

MSR,J

DATED; 11.04.2018

W.P.NO.11625 OF 2018

NOTICE BEFORE ADMISION

INTERIM DIRECTION



A handwritten signature or mark, possibly a checkmark or a stylized signature, located in the lower right quadrant of the page.