

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

FRIDAY, THE SIXTEENTH DAY OF JULY TWO THOUSAND AND TWENTY ONE

**:PRESENT:
THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY**

WRIT PETITION NO: 16069 OF 2021

Between:

1. N. Pradeep Reddy, S/o. Late Laxma Reddy.
2. M.Venkat Ram Reddy, S/o.Narayan Reddy.

Petitioners

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Hyderabad.
2. The Greater Hyderabad Municipal Corporation, Rep. by its Commissioner CC Complex, Tank Bund Road, Lower Tank Bund, Adarsh Nagar, Hyderabad-500063.
3. Greater Hyderabad Municipal Corporation, Rep.by its Dy.Commissioner Circle-25, Kukatpally Zone, Quthbullapur, Hyderabad.
4. Greater Hyderabad Municipal Corporation, Rep.by its Assistant City Planner, Circle-25, Kukatpally Zone, Quthbullapur, Hyderabad.
5. Muddapuram Sudhakar, S/o. Jangamaiah, Occ. Advocate R/o.H.NO.1-12-160/1, Panchavati Colony, Tadbund, Secunderabad 500009.
6. G.Archana, D/o.M.Sudhakar, W/o.G.Ravi Kumar, Occ. Housewife, R/o. H.No.1-12-160/1, Panchavati Colony, Tadbund, Secunderabad 500009.
7. P.Akhil, S/o. P.Suresh Babu, Occ. Pvt. Employee, R/o. Sy.No.216, Jai Ram Nagar, Jeedimetla, Quthubullapur Mandal, Medchal-Malkajgiri District.

Respondents

WHEREAS the Petitioners above named through their Advocate SRI SRINIVAS VELAGAPUDI 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 more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent No.4 in issuing the impugned order bearing letter No.2100/TPS/KPZ/GHMC/2021 dated 07/04/2021 and permission vide permit No.3/C25/00552/2021 dated 15/04/2021 in respect of 1161-Square Yards of land forming part of AC.6-33 Guntas in Survey No. 214/A(Part) of Jayaramnagar, Situated at Jeedimetla Village under Municipality and Mandal Quthbullapur, Ranga Reddy District, within the limits of Greater Hyderabad Municipal Corporation passed as arbitrary, illegal and to set aside the same;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri SRINIVAS VELAGAPUDI, Advocate for the Petitioner, 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 Commissioner, Greater Hyderabad Municipal Corporation, CC Complex, Tank Bund Road, Lower Tank Bund, Adarsh Nagar, Hyderabad-500063.
3. The Dy. Commissioner, Greater Hyderabad Municipal Corporation, Circle-25, Kukatpally Zone, Quthbullapur, Hyderabad.
4. The Assistant City Planner, Greater Hyderabad Municipal Corporation, Circle-25, Kukatpally Zone, Quthbullapur, Hyderabad.
5. Muddapuram Sudhakar, S/o. Jangamaiah, Occ. Advocate R/o.H.NO.1-12-160/1, Panchavati Colony, Tadbund, Secunderabad 500009.

6. G.Archana, D/o.M.Sudhakar, W/o.G.Ravi Kumar, Occ. Housewife, R/o. H.No.1-12-160/1, Panchavati Colony, Tadbund, Secunderabad 500009.
7. P.Akhil, S/o. P.Suresh Babu, , Occ. Pvt. Employee, R/o. Sy.No.216, Jai Ram Nagar, Jeedimetla, Quthbullapur Mandal, Medchal-Malkajgiri District.

are directed to show cause on or before 29-07-2021 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 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of the impugned order bearing letter No.2100/TPS/KPZ/GHMC/2021 dated 07/04/2021 and permission vide permit No.3/C25/00552/2021 dated 15/04/2021 in respect of 1161 Square Yards of land forming part of AC.6-33 Guntas in Survey No.214/A(Part) of Jayaramnagar, Situated at Jeedimetla Village under Municipality and Mandal Quthbullapur, Ranga Reddy District, within the limits of Greater Hyderabad Municipal Corporation passed by the Respondent No.4 , pending disposal of WP No. 16069 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 urgent personal notices to respondents No.5 to 7 and file proof of service into Registry.

The learned Standing Counsel for GHMC seeks time to get instructions.

Post on 29.07.2021.

The learned counsel for the petitioners has drawn the attention of this Court to the earlier orders passed by this Court in W.P. No. 10695 of 2020, dated 21.09.2020, wherein this Court has directed the official respondents to consider the objections of the petitioner therein before granting any building permission to the unofficial respondents.

The learned counsel states that the official respondents have passed the impugned order on 07.04.2021 and issued the building permission vide permit No.3/C25/00552/2020 on 15.04.2021. The learned counsel has drawn the attention of this Court to Column No. E(2) of the building permission, which reflects that the applicant has given a notarized affidavit bearing No.948/2021, dated 6.1.2021, mortgaging the built up area and therefore, he contends that the official respondents, even before passing the impugned orders, dated 07.04.2021, have decided to grant the building permission and took the notarized affidavit for mortgaging the constructed area on 06.01.2021. The learned counsel has stated that under the guise of building permission, the unofficial respondents may try to proceed with the constructions activity.

In view of the above submission of the learned counsel for the petitioners, the impugned order and the building permit No.3/C25/00552/2020, dated 15.04.2021, stand suspended.

//TRUE COPY//

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

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, State of Telangana, Secretariat, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation, CC Complex, Tank Bund Road, Lower Tank Bund, Adarsh Nagar, Hyderabad-500063.
3. The Dy. Commissioner, Greater Hyderabad Municipal Corporation, Circle-25, Kukatpally Zone, Quthbullapur, Hyderabad.
4. The Assistant City Planner, Greater Hyderabad Municipal Corporation, Circle-25, Kukatpally Zone, Quthbullapur, Hyderabad.
5. Muddapuram Sudhakar, S/o. Jangamaiah, Occ. Advocate R/o.H.NO.1-12-160/1, Panchavati Colony, Tadbund, Secunderabad 500009.
6. G.Archana, D/o.M.Sudhakar, W/o.G.Ravi Kumar, Occ. Housewife, R/o. H.No.1-12-160/1, Panchavati Colony, Tadbund, Secunderabad 500009.
7. P.Akhil, S/o. P.Suresh Babu, , Occ. Pvt. Employee, R/o. Sy.No.216, Jai Ram Nagar, Jeedimetla, Quthubullapur Mandal, Medchal-Malkajgiri District. (1 to 7 by RPAD- along with a copy of petition and affidavit)
8. One CC to SRI SRINIVAS VELAGAPUDI Advocate [OPUC]
9. Two CCs to GP FOR MCPL ADMN & URBAN DEV, High Court at Hyderabad. [OUT]
10. One spare copy

mvj

HIGH COURT

AAR,J

DATED:16/07/2021

POST ON 29-07-2021

NOTICE BEFORE ADMISSION

WP.No.16069 of 2021

DIRECTION

