

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

FRIDAY, THE SEVENTH DAY OF JUNE
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY
WRIT PETITION NO: 14261 OF 2024

Between:

Mohammad Ahmed Khan, S/o.Md. Davud Khan @Dawood Khan

Petitioner

AND

1. The State of Telangana, Represented by its Principal Secretary, Home Department, Secretariat, Hyderabad.
2. The Commissioner of Police, Hanumakonda, Hanumakonda district.
3. The Assistant Commissioner of Police,, Hanumakonda police station, Hanumakonda, Hanumakonda district.
4. The Station House Officer,, Hanumakonda police station, Hanumakonda, Hanumakonda district.
5. Greater Warangal Municipal Corporation,, Warangal, Warangal district, represented by Its Commissioner.
6. Sardar Omkar Singh, S/o.not known to Petitioner Aged 60 years, occ. Govt. employee, R/o.H.No.5-9-152, Kishanpura, Hanumakonda, Hanumakonda district.
7. Sardar Amar singh, S/o.not known to petitioner Aged about 65 years, occ. Pvt employee, R/o.H.No.25-8-604, Bapuji Nagar, Ward No.3, Kazipet, Hanumakonda district.

Respondents

WHEREAS the Petitioner above named through his Advocate SRI. A PRABHAKAR RAO 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, particularly one in the nature of WRIT OF MANDAMUS, declaring action of the respondents 3 and 4 in not allowing the petitioner to construct the building by interfering with the construction of building carried on by the petitioner in premises bearing No. 2-2-342/1, Nehru Nagar, Naimnagar, Sy.No.198, Laskar Singaram, Khazipet, Hanumakonda, Hanumakonda district, having land admeasuring 52 sq. yards with the permission issued by the 5th respondent dated 29/05/2024 in Lr.No.401075/GWMC/2667/2024 for construction of ground plus one upper floor, without any authority of law, at the behest of respondents 6 and 7, as illegal, arbitrary and consequently direct the respondents 3 and 4 not to interfere with the construction of the building in the premises bearing No. No. 2- 2-342/1, Nehru Nagar, Naimnagar, Sy.No.198, Laskar Singaram, Khazipet, Hanumakonda, Hanumakonda district,

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri A PRABHAKAR RAO Advocate for the Petitioner, directed issue of notice to the Respondent Nos.6 & 7, herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. Sardar Omkar Singh, S/o.not known to Petitioner, occ. Govt. employee, R/o.H.No.5-9-152, Kishanpura, Hanumakonda, Hanumakonda district.
2. Sardar Amar singh, occ. Pvt employee, R/o.H.No.25-8-604, Bapuji Nagar, Ward No.3, Kazipet, Hanumakonda district.

are directed to show cause on or before 21.06.2024 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 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 3 and 4 not to interfere with the construction of the building in premises bearing No. 2-2-342/1, Nehru Nagar, Naimnagar, Sy.No.198, Laskar Sinaaram, Khazipet, Hanumakonda, Hanumakonda district, having land admeasuring 52 sq. yards with the permission issued by the 5th respondent dated 29.05.2024 in Lt.No.401075/GWMC/2667/2024 at the behest of the respondents 6 and 7, pending disposal of WP No. 14261 of 2024, on the file of the High Court.

**The Court made the following
ORDER:**

Issue notice to respondent Nos.6 and 7.

Learned counsel for the petitioner is permitted to take out personal notice to respondent Nos.6 and 7 by Registered Post with Acknowledgment Due and file proof of service by next date of hearing.

Mr. S. Surender Reddy, learned Standing Counsel for respondent No.5 - Greater Warangal Municipal Corporation, submitted that building permission was obtained by the petitioner by suppressing the *status quo* order passed by the Honourable Supreme Court in respect of the subject property.

Learned Assistant Government Pleader for Home seeks time to get instructions.

As it is stated that the petitioner is proceeding with building construction pursuant to the letter of approval for commencement of work *vide* Letter No.401075/GWMC/2667/2024 dated 29.05.2024 (Ex.P1), there shall be interim direction

to respondent Nos.3, 4 and 5 not to interfere with the building construction being undertaken by the petitioner without following due process of law.

List on 21.06.2024.

SD/-K.SREERAMA MURTHY
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Home Department, Secretariat, State of Telangana, Hyderabad.
2. The Commissioner of Police, Hanumakonda, Hanumakonda district.
3. The Assistant Commissioner of Police,, Hanumakonda police station, Hanumakonda, Hanumakonda district.
4. The Station House Officer, Hanumakonda police station, Hanumakonda, Hanumakonda district
5. Greater Warangal Municipal Corporation,, Warangal, Warangal district, represented by Its Commissioner. (Rr1 to 5 BY RPAD)
6. Sardar Omkar Singh, S/o.not known to Petitioner, occ. Govt. employee, R/o.H.No.5-9-152, Kishanpura, Hanumakonda, Hanumakonda district.
7. Sardar Amar singh, occ. Pvt employee, R/o.H.No.25-8-604, Bapuji Nagar, Ward No.3, Kazipet, Hanumakonda district(RR 6 & 7 by RPAD- along with a copy of petition and affidavit)
8. One CC to SRI. A PRABHAKAR RAO, Advocate [OPUC]
9. Two CCs to GP FOR HOME ,High Court Of Judicature at Hyderabad. [OUT]
10. One spare copy

HIGH COURT

BVR,J

DATED:07/06/2024

LIST ON: 21.06.2024

NOTICE BEFORE ADMISSION

WP.No.14261 of 2024

DIRECTION

