

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
WEDNESDAY, THE EIGHTH DAY OF SEPTEMBER TWO THOUSAND AND
TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE K.LAKSHMAN
WRIT PETITION NO: 18061 OF 2021

Between:

Sai Ganga Colony Welfare Association, (Regd.9388) Shankeshwar Bazar, Hyderabad, rep. by its President P.Lingaiah Goud, S/o.Late Maraiah, aged about 59 years, R/o.H.No.16-2-752/K/70/A/2, Sai Ganga Colony, Saidabad, Hyderabad.

Petitioner

AND

1. The Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Near Tank Bund, Hyderabad.
2. The Chief Town Planning Officer, Greater Hyderabad Municipal Corporation, Tank Bund, Hyderabad.
3. The Zonal Commissioner, Greater Hyderabad Municipal Corporation, Chandrayangutta, Hyderabad.
4. The Assistant City Planner, Greater Hyderabad Municipal Corporation, Sardarmahal, Hyderabad.
5. The State of Telangana, Rep. by its Principal Secretary, MA and UD Department, Secretariat, Hyderabad.
6. The Director of Enforcement, Vigilance and Disaster Management Greater Hyderabad Municipal Corporation, Tank Bund, Hyderabad.

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 in the nature of Writ of Mandamus declaring the impugned action of the respondents in not initiating action on the representations made on 8/6/2017, 21/11/2019, 17/01/2020, 06/10/2020 and 16/02/2021 on behalf of petitioner's Association wherein requested to remove the illegal encroachers as a result of which the road width reduced to the street Design Standard i.e., minimum 12.M (or) 40 despite repeated reminders is illegal, unfair, unjust, and consequently direct the respondents to forthwith initiate steps for removing the illegal encroachers occupying the road and obstructing the free passage unauthorizedly, as per law ;

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 direct the respondents to forthwith take necessary steps as per laws for removing the encroachers by disposing the representation dated 16.02.2021 by fixing a date pending disposal of the WP 18061 of 2021, 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 upon hearing the arguments of SRI A RADHA KRISHNA Advocate for the Petitioner and Sri Pasham Krishna Reddy, (S.C.) for the Respondents, the Court made the following.

ORDER:

At request of Sri Pasham Krishna Reddy, learned Standing Counsel appearing for respondents to file counter list on 20.09.2021.

In the meanwhile, 3rd respondent shall consider the representation dated 16.02.2021 submitted by the petitioner and pass appropriate orders in accordance with law.

//TRUE COPY//

SD/- N CHANDRASHEKAR RAO
ASSISTANT REGISTRAR

Ch
SECTION OFFICER

To,

1. The Commissioner, Greater Hyderabad Municipal Corporation, Near Tank Bund, Hyderabad.
2. The Chief Town Planning Officer, Greater Hyderabad Municipal Corporation, Tank Bund, Hyderabad.
3. The Zonal Commissioner, Greater Hyderabad Municipal Corporation, Chandrayangutta, Hyderabad.
4. The Assistant City Planner, Greater Hyderabad Municipal Corporation, Sardarmahal, Hyderabad.
5. The Principal Secretary, MA and UD Department, State of Telangana, Secretariat, Hyderabad.
6. The Director of Enforcement, Vigilance and Disaster Management Greater Hyderabad Municipal Corporation, Tank Bund, Hyderabad. (1 to 6 by RPAD)
7. One CC to SRI. A RADHA KRISHNA Advocate [OPUC]
8. Two CCs to the GP for MA & UD, High Court at Hyderabad (OUT)
9. One spare copy

HIGH COURT

KLJ

DATED:08/09/2021

POST ON 29-09-2021

ORDER

WP.No.18061 OF 2021

DIRECTION

