

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

FRIDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION NO: 16585 OF 2023

Between:

M/s. Mandadi Construction Pvt. Ltd, Having its Registered Office at. 13-A/B/C, V6 News Channel Building, M.L.A. Colony, Road No.12, Banjara Hills, Hyderabad - 500 034, Rep. by its Managing Director Sri M.Kishore Reddy, S/o M.Vidyasagar Reddy.

Petitioner

AND

1. The State of Telangana, Rep. by its Prl. Secretary, Municipal Administration and Urban Development Dept., Secretariate, Hyderabad - 500022
2. The Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Tank Bund, Hyderabad-500063
3. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Rep. by its Dy. Commissioner, Kukatpally Circle No.24, Kukatpally Zone, Hyderabad
4. The Zonal Commissioner, Kukatpally Zone, Greater Hyderabad Municipal Corporation, Kukatpally, Hyderabad.
5. Samala Madhava Reddy, S/o Late S.Venkat Reddy, Occ Business, R/o. H.No.8-5-210/99/A, Shiva Enclave, Old Bowenpally, Medchal-Malkajgiri District-500011.
6. Smt. R. Sucharitha Varma, W/o. Sri R.V.K.Varma, Occ Business, R/o. H.No.3-9-518/18, Road No3, Bhavani Nagar, Mansoorabad, L.B.Nagar, Hyderabad-500068.

Respondents

WHEREAS the Petitioner above named through its Advocate Sri. V V RAMANA 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 an appropriate writ, order or direction more particularly one in the nature of writ of mandamus to declare the proceedings of the respondent No.2 in Final Revocation Orders u/s 450 of GHMC Act, 1955 in Notice No. 326244/TPS/KPZ/GHMC/2023 dated 25.05.2023 revoking / Cancelling the building permission vide Permit No.5264/GHMC/KPL/2023-BP dated 28.01.2013 in File No.013608/GHMC/6669/KPL2/2022-BP in proceedings Notice No. 326244/TPS/KPZ/GHMC/2023 dated 25.05.2023 and preceding proceedings of the 4th respondent in Lr. NO.326244/TPS/NZ/GHMC/2023 dated 28.04.2023 decided to initiate action for cancellation of building permission under section 450 of HMC Act, 1955 for suppression of facts and also LRS approvals vide Proceedings No. LRS/576/C14/WZ/GHMC/2010 dated 27.12.2011 for plot No. 111 and 112 and LRS/569/C14/WZ/GHMC/2010 dated 27.12.2011 for plot No. 113 and 114 in violation of

LRS Rule no.5 (i) and 113 of GO Ms No.902 MA dated 31.12.2007 and issuance of show cause notice by the 2nd respondent under section 450 of HMC Act, 1955 in Notice NO.326244/TPS/NZ/GHMC/2023 dated 28/29.04.2023 to the petitioner in respect of Plot Nos.111, 112, 113 and 114, in an extent of 610 .06 sq. Mts., situated in Sy.No. 91 Part, Old Bowenpally, Kukatapally Circle, Balanagar Mandal, Medchal - Malkajgiri District within limits of Greater Hyderabad Municipal Corporation, is illegal, arbitrary contrary to the provision of the GHMC Act, violation of principles of natural justice and violation of fundamental rights guaranteed under Constitution of India by setting aside the same and consequently direct the 2nd and 3rd respondents to restore the building permission granted in favour of the petitioner to allow the petitioners to proceed with the further construction;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri V V RAMANA Advocate for the Petitioner and Learned Government pleader for Municipal Administration and Urban Development takes notice for respondent Nos.1 & 2, Sri Dhanunjay Reddy, learned standing counsel takes notice for respondent Nos.3 & 4, 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 Dept., State of Telangana, Secretariate, Hyderabad - 500022
2. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund, Hyderabad-500063
3. The Dy. Commissioner, Deputy Commissioner, Greater Hyderabad Municipal Corporation, Kukatapally Circle No.24, Kukatapally Zone, Hyderabad
4. The Zonal Commissioner, Kukatapally Zone, Greater Hyderabad Municipal Corporation, Kukatapally, Hyderabad.
5. Samala Madhava Reddy, S/o Late S.Venkat Reddy, Occ Business, R/o. H.No.8-5-210/99/A, Shiva Enclave, Old Bowenpally, Medchal-Malkajgiri District-500011.
6. Smt. R. Sucharitha Varma, W/o. Sri R.V.K.Varma, Occ Business, R/o. H.No.3-9-518/18, Road No3, Bhavani Nagar, Mansoorabad, L.B.Nagar, Hyderabad-500068.

are directed to show cause on or before 10.07.2023 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.

The Court made the following:

ORDER:

Notice before admission.

Learned Government pleader for Municipal Administration and Urban Development takes notice for respondent Nos.1 & 2.

Sri Dhanunjay Reddy, learned standing counsel takes notice for respondent Nos.3 & 4 and seeks time to get written instructions.

Learned counsel for petitioner is permitted to take out personal notice on respondent Nos.5 & 6 and file proof of service.

Post on 10.07.2023 immediately after motion list.

**SD/ N. SRIHARI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Dept., State of Telangana, Secretariate, Hyderabad - 500022
2. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund, Hyderabad-500063
3. The Dy. Commissioner, Deputy Commissioner, Greater Hyderabad Municipal Corporation, Kukatpally Circle No.24, Kukatpally Zone, Hyderabad
4. The Zonal Commissioner, Kukatpally Zone, Greater Hyderabad Municipal Corporation, Kukatpally, Hyderabad.
5. Samala Madhava Reddy, S/o Late S.Venkat Reddy, Occ Business, R/o. H.No.8-5-210/99/A, Shiva Enclave, Old Bowenpally, Medchal-Malkajgiri District-500011.
6. Smt. R. Sucharitha Varma, W/o. Sri R.V.K.Varma, Occ Business, R/o. H.No.3-9-518/18, Road No3, Bhavani Nagar, Mansoorabad, L.B.Nagar, Hyderabad-500068.
(1 to 6 by RPAD- along with a copy of petition and Affidavit)
7. One CC to SRI. V V RAMANA Advocate [OPUC]
8. Two CCs to GP FOR MCPL ADMN URBAN DEV, High Court Of Judicature at Hyderabad. [OUT]
9. One spare copy

HIGH COURT

NVSK, J

DATED:30/06/2023

**NOTE: POST ON 10.07.2023
IMMEDIATELY AFTER
MOTION LIST.**

NOTICE BEFORE ADMISSION

WP.No.16585 of 2023

