

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

WEDNESDAY, THE TWENTY FIRST DAY OF OCTOBER
TWO THOUSAND AND TWENTY

:PRESENT:

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO: 18918 OF 2020

Between:

Gajula Shankar, S/o Balaiah,

...Petitioner

AND

1. The State of Telangana, Rep. by Its Principal Secretary (Municipal Administration & Urban Development Department), Secretariat, Hyderabad.
2. The Mancherla Municipality,, Rep. by its Commissioner, Mancherla, Mancherla District.
3. Syed Afzal Ahamad, S/o Syed Meer, Aged about. 65 yrs, Occ: Advocate, R/o H No. 12-342, Islampura Colony, Mancherla Town and Dist.

....Respondents

WHEREAS the Petitioner above named through his Advocate SRI.D.MANO HAR 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 more particularly one in the nature of writ of Mandamus declaring the action of the respondent No.2 in seeking to demolish the residential building constructed by the petitioner in Sy No. 279/1, ward No.2, block No.1, at Maruthinagar, within the limits of Mancherla Municipality, Mancherla Town and Dist., which was constructed by the petitioner herein as per the Building permit order dated. 28-3-2019, in file No. 3026/W2/2018/2327, issued by the office of the respondent No.2, without following the procedure established by law, and without causing any enquiry, as Illegal, arbitrary and contrary to law, besides violation of Article, 14, 21 and 300 A of Indian Constitution and further to set aside the notice dated. 20-08-2020, in File No.020-2020 Issued by the respondent No.2.;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri.D.MANO HAR RAO 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 & Urban Development Department), State of Telangana, Secretariat, Hyderabad.
2. The Commissioner, Mancherla Municipality, Mancherla, Mancherla District.
3. Syed Afzal Ahamad, S/o Syed Meer, R/o H No. 12-342, Islampura Colony, Mancherla Town and Dist.

are directed to show cause on or before 23.11.2020 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 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to, direct the respondent No.2 not to demolish the residential building constructed by the petitioner herein in Sy No. 279/1, ward No.2, block No.1, at Maruthinagar, within the limits of Mancherla Municipality, Mancherla Town and Dist., which was constructed the petitioner herein as per the Building permit order dated. 28-3-2019, In file No. 3026/W2/2018/2327, issued by the office of the respondent No.2, pending disposal of the WP No.18918 of 2020, on the file of the High Court.

The Court made the following Order:

Notice before admission.

Learned counsel for the petitioner is directed to take out personal notice to respondent No.3 and file proof of service into Registry.

Learned Standing Counsel appearing for respondent No.2 seeks time for filing counter.

Post on 23.11.2020 along with W.P.No.2530 of 2019, after obtaining the necessary orders from The Hon'ble the Chief Justice.

In the meanwhile, both parties shall maintain *status quo*, obtaining as on today. However, it is made clear that the petitioner shall not make any repairing works until further orders.

//TRUE COPY//

SD/- .K.SHYLESHI
ASSISTANT REGISTRAR

SECTION OFFICER

To

1. The Principal Secretary (Municipal Administration & Urban Development Department), State of Telangana, Secretariat, Hyderabad.
2. The Commissioner, Mancheria Municipality, Mancheria, Mancheria District.
3. Syed Afzal Ahmad, S/o Syed Meer, R/o H No. 12-342, Islampur Colony, Mancheria Town and Dist.
4. One CC to SRI.D.MANO HAR RAO 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

AAR,J

DATED: 21.10.2020

NOTE: POST ON 23.11.2020

WP.NO0.18918 OF 2020

NOTICE BEFORE ADMISSION

STATUS-QUO

