

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

FRIDAY, THE NINTH DAY OF AUGUST
TWO THOUSAND AND NINETEEN

:PRESENT:
THE HON'BLE SRI JUSTICE P NAVEEN RAO



IA No. 1 OF 2019
IN
WP NO: 17080 OF 2019

Between:

Ms.Symphony Park Homes Residents Welfare Association, Rep. by its president Mr.Bommareddy Venkata Rajkumar Reddy aged about 44 years O/o.Villa No.407, Symphony Park Homes. Patancheru Post and Mandal-502 319. Sangareddy dist,

...Petitioner
(Petitioner in WP.No.17080 OF 2019
on the file of High Court)

AND

1. The State of Telangana, Rep. by its Prl Secretary Department Municipal Administration and Urban Development Dept, Telangana Secretariat Office, Hyderabad
2. Ms. Greater Hyderabad Municipal Corporation, Rep. by its Commissioner O/o. GHMC near lower Tank Bund Hyderabad
3. Ms. Safeway Infra a Partnership firm, Rep by its Managing Partner Mr.IVSN Raju O/o.Flat No.603, Aparna Heights-II, Laxminagar, Kondapur, Near Chirec School, Hyderabad-500 084
4. Ms. Yelavarthy Projects (P) Ltd., Rep. by its Managing Director Mr.Y.Vamsi Krishna (major) R/o. Plot No.1-109/21, Near RTA Office Bikshapathinagar, Kondapur Hyderabad-500 084
5. Mrs.T.Divya, D/o.Mr. Vasudevan Dev aged about 40 years R/o. Flat No.402, Sri Krishna Shankar Vilas Vandanapuri Colony, Ramachandrapuram Hyderabad-502 032
6. Mr.T.Narsingh Bhan Singh, s/o.late Balaram Singh aged about 74 years R/o.HNo.1-62, Bandlaguda village. Ramachandrapuram Mandal-502 032 Sangareddy district

...Respondents
(Respondents in-do-)

Counsel for the Petitioner : M/S.V.APPA RAO

Counsel for the Respondent No.1: GP FOR MUNICIPAL ADMINISTRATION (TG)

Counsel for the Respondent No.2 : SRI.SAMPATH PRABHAKAR REDDY, SC

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 stay all further proceedings or activities in pursuant to Permit No.1/C22/09304/19 dt.17- 6-2019, (file No.1/C22/23878/2018 on the file of 2nd respondent) pending disposal of WP No.17080 of 2019, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER

According to the learned counsel for the petitioner, the common amenities area is sought to be converted into house plots and to construct houses. Aggrieved by the decision of the unofficial respondents, the petitioner-association earlier filed WP No.14137 of 2018. In IA No.1 of 2018 by order dated 30.04.2018, while recording the statement of the Municipal Corporation, that respondents 6 to 11 are interfering with the amenities area in GHMC layout, granted interim

direction as prayed for i.e. not to interfere. While so, the 4th respondent, who was the 9th respondent in the earlier writ petition, obtained building permission to construct Ground + one upper floor.

According to the learned counsel for the petitioner this building permission is granted in the common amenities area which is prohibited against interference by this Court in the earlier writ petition.

Having regard to these submissions, the Deputy Commissioner of Circle No.22 is directed to conduct physical verification, in the presence of the petitioner, as to whether the 4th respondent is undertaking construction in pursuance to the building permission granted in the common amenities area and if so, he shall restrain the 4th respondent from undertaking any construction until further orders by this Court.

Post along with WP No.14737 of 2018.

//TRUE COPY//

SD/- M.MANJULA
ASSISTANT REGISTRAR

SECTION OFFICER

To

1. The Principal Secretary Department Municipal Administration and Urban Development Dept, State of Telangana, Telangana Secretariat Office, Hyderabad
2. The Commissioner, Ms. Greater Hyderabad Municipal Corporation, O/o. GHMC near lower Tank Bund Hyderabad
3. Mr.IVSN Raju, Manaiging Partner, Ms. Safeway Infra a Partnership firm, O/o.Flat No.603, Aparna Heights-II, Laxminagar, Kondapur, Near Chirec School, Hyderabad-500 084
4. Mr.Y.Vamsi Krishna, Managing Director, Ms. Yelavarthy Projects (P) ltd., R/o. Plot No.1-109/21, Near RTA Office Bikshapathinagar, Kondapur Hyderabad-500 084
5. Mrs.T.Divya, D/o.Mr. Vasudevan Dev, R/o. Flat No.402, Sri Krishna Shankar Vilas Vandanapuri Colony, Ramachandrapuram Hyderabad-502 032
6. Mr.T.Narsingh Bhan Singh, S/o.late Balaram Singh, R/o.HNo.1-62, Bandlaguda village. Ramachandrapuram Mandal-502 032 Sangareddy district (RR-1 to 6 by RPAD)
7. One CC to SRI.V.APPA RAO, Advocate [OPUC]
8. Two CCs to GP FOR MUNICIPAL ADMN URBAN DEV (TG), High Court Of Judicature at Hyderabad. [OUT]
9. One spare copy

HIGH COURT

PNR,J

DATED; 9.8.2019

I.A.NO.1 OF 2019
IN
WP.NO.17080 OF 2019

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INTERIM STAY

