

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE TWELFTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE LAXMI NARAYANA ALISHETTY

WRIT PETITION NO: 17167 OF 2019

Between:

Mr.Mohd.Shareef, S/o.Shaik Abdullah,Aged about 70 years (Senior Citizen),Occ.Retired,R/o.H.No.11-1-781, New Bohiguda, Hyderabad

...PETITIONER

AND

1. The State of Telangana , Rep. by its Principal Secretary, Municipal Administration and Urban Development Department Secretariat Buildings, at Hyderabad
2. The Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Tank Bund, Hyderabad
3. The Deputy Commissioner, Circle No.7,Greater Hyderabad Municipal Corporation Khairtabad, Hyderabad
4. The Assistant City Planner, Circle No.7,Greater Hyderabad Municipal Corporation, Khairtabad, Hyderabad-TS
5. Mr.M.Prakash, S/o.Late M.Chaganlal Aged about 55 years, Occ. Business, R/o.H.No.11-1-782,New Bohiguda, 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 particularly one in the nature of Writ of Mandamus by declaring the action of the Official Respondents more particularly the Respondent Nos.2 to 4 as arbitrary, ex-facie illegal, discriminatory, highhanded and in violation of Article 14 of Constitution of India in not taking necessary action for illegal and unauthorized construction carried out by Respondent No.5 without obtaining any municipal sanction plan and also without leaving any inch setback in respect of H.No.CIB 141/D corresponding to MCH No.11-1-782) admeasuring 46.98 Sq.Yards, situated at New Bohiguda, Hyderabad, besides encroached by raising projections and also damaging Petitioners wall, in the light of Petitioners representation dt.15-05-2019 and

consequently may direct the Official Respondents more particularly the Respondent Nos.2 to 4 to take necessary action against the said unauthorized construction made by the Respondent No.5 in the light of the Writ Petitioners representation dt.15-05-2019, in the interest of justice

IA NO: 1 OF 2019

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 Official Respondents more particularly the Respondent Nos.2 to 4 to demolish the illegal and unauthorized construction carried out by Respondent No.5 without obtaining any municipal sanction plan and also without leaving any inch setback in respect of H.No.CIB 141/D corresponding to MCH No.11-1-782) admeasuring 46.98 Sq.Yards, situated at New Bohiguda, Hyderabad, besides encroached by raising projections and also damaging Petitioners wall, in the light of the Writ Petitioners written representation dt.15-05-2019, in the interest of justice pending disposal of the main Writ Petition

Counsel for the Petitioner: SRI. NAZIR AHMED KHAN

**Counsel for the Respondent No.1 : GP FOR MUNICIPAL ADMINISTRATION
AND URBAN DEVELOPMENT**

Counsel for the Respondent No.5: SRI BATHULA RAJ KIRAN

Counsel for the Respondent Nos. 2to4: SC FOR GHMC

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE LAXMI NARAYANA ALISHETTY

WRIT PETITION No.17167 of 2019

ORDER:

This writ petition is filed to declare the action of official respondents 2 to 4 in not taking necessary action on respondent No.5 for carrying illegal and unauthorized construction without obtaining any municipal sanction plan and also without leaving any set-backs in respect of H.No.CIB 141/D, corresponding to MCH No.11-1-782, admeasuring 46.98 square yards, situated at New Bohiguda, Hyderabad, as illegal and arbitrary and in violation of Article 14 of the constitution of India.

2. Sri Nazir Ahmed Khan, learned counsel for the petitioner submits that the cause in the Writ Petition does not survive for adjudication and the same has become infructuous.

3. Recording the aforesaid submission of the learned counsel, the Writ Petition is dismissed as infructuous. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

//TRUE COPY//

SD/- L. VIJAYA LAXMI
ASSISTANT REGISTRAR

SECTION OFFICER

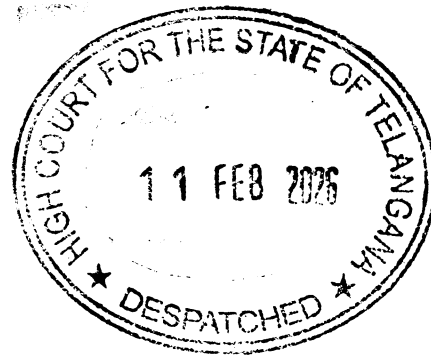
To,

1. One CC to SRI. NAZIR AHMED KHAN, Advocate [OPUC]
2. Two CCs to GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, High Court for the State of Telangana, at Hyderabad [OUT]
3. One CC to SRI. BATHULA RAJ KIRAN, Advocate [OPUC]
4. One CC to SC FOR GHMC [OPUC]
5. Two CD Copies

B M *Ys*

HIGH COURT

DATED:12/09/2025



ORDER

WP.No.17167 of 2019

**DISMISSING THE WRIT PETITION AS INFRUCTUOUS
WITHOUT COSTS**

8 copies
1/2
31/1/26