

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

TUESDAY, THE SECOND DAY OF JULY
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

**THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY
WRIT PETITION NO: 16882 OF 2024**

Between:

M. Thirupathaiah, S/o. Late. M. Jahangir

Petitioner

AND

1. The State of Telangana, Rep by its Principle Secretary Revenue (U.C.I Department, Secretariat Hyderabad
2. The Greater Hyderabad Municipal Corporation, Rep by its Commissioner, Tank Bund Hyderabad.
3. The Greater Hyderabad Municipal Corporation, Rep by Deputy Commissioner, Circle No.20, GHMC, Serilingampally Zone, Ranga Reddy District.
4. The Asst City Planner, Serilingampally Zone, GHMC Ranga Reddy District.
5. The Additional Collector Urban Land Ceiling and Competent Authority, Ranga Reddy District, 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 writ order or direction more particularly one in the nature of writ of Mandamus and declaring the action of the respondents No.2, 3 and 4 in issuing Revocation Letter to the Building permission of the petitioner vide Lr. No. 378365/GHMC/3965/2024 dated 28/04/2024. and consider the petitioner application for building permission inspite of orders of this Hon'ble Court vide WP No.3549/2024 dated 12/02/2024 as being illegal arbitrary and violative of Article 14,21 and 300-A of Constitution of India. and consequently direct the respondents to reconsider the Building Permit No.378365/2999/GHMC/2024 dated 21/03/2024 in respect of the Plot No.224, Survey Nos.78 to 93, admeasuring 300 Sr. Yards, situated at Raja Rajeswara Nagar, Kondapur (V), Serilingampally Mandal, Ranga Reddy District, T. S., and bounded by North Plot No.243 South Plot No.245 East Plot No.222, West 30' ft Wide Road, without reference to Revocation Letter vide Lr. No. 378365/GHMC/3965/2024 dated 28/04/2024 and without insisting ULC Clearance Certificate;

IA NO: 1 OF 2024

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 2, 3 and 4 to reconsider the Building Permit No.378365/2999/GHMC/2024 dated 21-03-2024 in respect of the Plot No.224, Survey Nos.78 to 93, admeasuring 300 Sr. Yards, situated at Raja Rajeswara Nagar, Kondapur (V), Serilingampally Mandal, Ranga Reddy

District. T. S., and bounded by North: Plot No.243; South: Plot No.245; East: Plot No.222; West: 30' ft Wide Road. without reference to Revocation Letter vide Lr. No. 378365/GHMC/3965/2024 dated 28-04-2024 without insisting ULC Clearance Certificate and to pass. Pending disposal of WP 16882 of 2024, 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. THAKUR ROOPA SINGH Advocate for the Petitioner, GP FOR REVENUE Advocate for the Respondent Nos.1 & 5. SRI. M.A.MUKHEED, SC for the respondent Nos.2 to 4 and the Court made the following.

ORDER:

In similar circumstances, order dated 10.11.2023 was passed in W.P.No.16461 of 2023; order dated 21.12.2023 was passed in W.P.No.34369 of 2023 and order dated 12.02.2024 was passed in W.P. No.3549 of 2024.

Learned Assistant Government Pleader for Assignment submitted that interim order may be passed with an observation that the same shall be subject to outcome of W.P.No.26830 of 2007 and that the writ petitioners shall not claim any equities.

In view of the above, there shall be interim direction to respondent Nos.2 to 4 to reconsider the building permission No.378365/2999/GHMC/2024 dated 21.03.2024 of the petitioner without reference to the Revocation Letter No.378365 /GHMC/3965/2024 dated 28.04.2024 and without insisting upon production of clearance certificate/NOC from the ULC authorities in respect of Plot No.224 in Survey Nos.78 to 93 admeasuring 300 square yards, situated at Sri Raja Rajeswara Nagar, Kondapur Village, Serilingampally Mandal, Ranga Reddy District. It is made clear that this order shall be subject to outcome of W.P.No.26830 of 2007. Further, the petitioner shall not claim any equities in the event of this writ petition being dismissed.

Print the name of Mr. M.A.K. Mukheed, learned Standing Counsel for GHMC.

Post along with W.P.No.18768 of 2011 and W.P.No.26830 of 2007, W.P. No.3549 of 2024 on 30.07.2024.

SD/-P. PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary Revenue (U.C.I) Department, State of Telangana, Secretariat Hyderabad.

2. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund Hyderabad.
3. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Circle No.20, GHMC, Serilingampally Zone, Ranga Reddy District.
4. The Asst. City Planner, Greater Hyderabad Municipal Corporation, Serilingampally Zone, Ranga Reddy District.
5. The Additional Collector Urban Land Ceiling and Competent Authority, Ranga Reddy District, Hyderabad.
(1 to 5 by RPAD)
6. One CC to SRI. THAKUR ROOPA SINGH Advocate [OPUC]
7. Two CCs to GP FOR REVENUE, High Court at Hyderabad. [OUT]
8. One spare copy

HIGH COURT

BVR, J

DATED:02/07/2024

**POST ALONG WITH W.P.NO.18768 OF 2011
AND W.P.NO.26830 OF 2007,
W.P. NO.3549 OF 2024 ON 30.07.2024**

ORDER

WP.No.16882 of 2024



INTERIM DIRECTION