

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE THIRD DAY OF JULY TWO THOUSAND AND TWENTY FOUR

**:PRESENT:
THE HONOURABLE SRI JUSTICE T.VINOD KUMAR**

**IA No. 1 OF 2024
IN
WP NO: 17033 OF 2024**

Between:

1. K. Pavan Kumar, S/o. K. Shankar, Occ. Pvt. Service, R/o. H.No. 1-6-139, Shobhana Nagar, Street No. 8, Habshiguda, Hyderabad, Telangana State - 500007.
2. Karipa Shanker, S/o. Karipa Bucchi Rajam, Occ. Pvt. Service, R/o. 1-6-139, V.V. Nagar, Shobhana Nagar, Street No. 8, Habshiguda, Hyderabad, Telangana State - 500007.

...Petitioners
(Petitioners in WP 17033 OF 2024
on the file of High Court)

AND

1. The State of Telangana, Municipal Administration and Urban Development Department, Rep. by its Principal Secretary, Secretariat, Hyderabad.
2. The Commissioner and Director of Municipal Administration, Municipal Administration Department, AC Guards, Masab Tank, Hyderabad - 500004.
3. The Hyderabad Metropolitan Urban Development Authority, Rep. by its Metropolitan Commissioner, (Planning Department), Swarnajayanthi Commercial Complex, 4th Floor, West Wing, Ameerpet, Hyderabad - 500038.
4. The Municipal Commissioner, Tellapur Municipality, Tellapur, Hyderabad, Telangana - 500019.
5. The Town Planning Officer, Tellapur Municipality, Tellapur, Hyderabad, Telangana - 500019.
6. Sri. VLS Prasad @ VLCVSS Prasad, S/o. Late Pichaiiah, Occ. Managing Director at Vaishno Ventures, R/o. H. No. 1, Lalitha Bloom Field, Khajaguda, Hyderabad - 50008.
7. Sri. Manoj Kumar Jain, S/o. R. B. Jain, Occ. CEO of M/s. Strips India, R/o. 203, 2nd Floor, Silver Tower Banjara, Road No.11, Banjara Hills, Hyderabad - 500034.

...Respondents
(Respondents in-do-)

Counsel for the Petitioners : Sri R DHEERAJ SINGH

Counsel for the Respondent Nos.1 and 2: GP FOR MCPL ADMN & URBAN DEV

Counsel for the Respondent No.3 : Sri V. Narasimha Goud

Counsel for the Respondent No.4 : Sri B. Jagan Madhav Rao

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 Respondent Nos.3 to 5 to remove the unauthorised construction of building and an iron sheet 20 feet height compound wall made over Sy. No. 188 (188/AA) of

Kollur Village, R.C. Puram, Sangareddy District, in the interest of justice, Pending disposal of WP No. 17033 of 2024, 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.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

Heard learned counsel for the petitioners, learned Government Pleader for Municipal Administration and Urban Development appearing on behalf of respondent Nos.1 and 2, Sri V.Narasimha Goud, learned Standing Counsel appearing on behalf of 3rd respondent and Sri B.Jagan Madhav Rao, learned Standing Counsel appearing on behalf of respondent Nos.4 and 5, and perused the record.

Petitioners contend that the unofficial respondents are making construction without obtaining a valid permission or sanction either from the 3rd respondent authority or the 4th respondent authority, and thus, the construction being proceeded with is unauthorized and illegal.

Learned Standing Counsel appearing on behalf of 3rd respondent submits that though the unofficial respondents have applied for grant of building permission, the same has not been granted by the authority in favour of the unofficial respondents.

Since, it is evident from the submissions made to this Court that the unofficial respondents have not obtained any permission from the 3rd respondent, this Court is of the view that respondent Nos.4 and 5 are to be directed to take further action in the matter and ensure that no construction is made by unofficial respondents without having a valid permission from the authorities concerned.

//TRUE COPY//

SD/- A.V.S. PRASAD
ASSISTANT REGISTRAR



SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, State of Telangana, Secretariat, Hyderabad.
2. The Commissioner and Director of Municipal Administration, Municipal Administration Department, AC Guards, Masab Tank, Hyderabad - 500004.
3. The Metropolitan Commissioner (Planning Department), Hyderabad Metropolitan Urban Development Authority, Swarnajayanthi Commercial Complex, 4th Floor, West Wing, Ameerpet, Hyderabad - 500038.

4. The Municipal Commissioner, Tellapur Municipality, Tellapur, Hyderabad, Telangana - 500019.
5. The Town Planning Officer, Tellapur Municipality, Tellapur, Hyderabad, Telangana - 500019.
6. Sri. VLS Prasad @ VLCVSS Prasad, S/o. Late Pichaiah, Occ. Managing Director at Vaishno Ventures, R/o. H. No. 1, Lalitha Bloom Field, Khajaguda, Hyderabad - 50008.
7. Sri. Manoj Kumar Jain, S/o. R. B. Jain, Occ. CEO of M/s. Strips India, R/o. 203, 2nd Floor, Silver Tower Banjara, Road No.11, Banjara Hills, Hyderabad - 500034.(1 to 7 By RPAD)
8. One CC to SRI R DHEERAJ SINGH Advocate [OPUC]
9. Two CCs to GP FOR MCPL ADMN & URBAN DEV, High Court at Hyderabad. [OUT]
10. One spare copy



HIGH COURT

TVK,J

DATED:03/07/2024

ORDER

I.A.NO.1 OF 2024
IN
WP.No.17033 of 2024



DIRECTION