

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

MONDAY, THE SIXTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY

:PRESENT:
THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO: 20290 OF 2020

Between:

Smt. Sujatha Jaiswal, W/o Late Anilkumar Jaiswal,

....Petitioner

AND

1. The State of Telangana, rep. by its Principal Secretary Municipal Administration & Urban Development Department, CDMA Office Complex, 3rd Floor, Masab Tank, Hyderabad - 4.
2. The Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Tank Bund, Hyderabad.
3. P. Srinivasulu, S/o P. Sattaiah, Aged about 45 years, R/o Flat No. 201, 3rd Floor, 3-6-624/1 & 2, Himayathnagar, Seetharama Apartments, Hyderabad.

...Respondents

WHEREAS the Petitioner above named through her Advocate SRI.P.SRIDHAR REDDY 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 an order, writ or direction more particularly in the nature of a writ of Mandamus under article 226 of the constitution of India declaring the inaction of the respondents in stopping the illegal and unauthorized construction being raised by the 3rd respondent in the premises bearing Municipal No. 3-6-624/1 & 2, Liberty - Narayanaguda main road, Himayathnagar, Hyderabad 50029 without obtaining any building approval under the provisions of Hyderabad Municipal Corporations Act, 1955 and without leaving any setbacks between the property of the petitioner and the proposed construction despite the representations dated 11/8/2020 and 3/10/2020 as illegal, arbitrary and violative of section 452 of Hyderabad Municipal Corporations Act 1955 and consequently direct the respondents 1 and 2 to forthwith stop the illegal constructions being raised by the 3rd respondent by initiating steps under section 452 of the Act and remove the unauthorized constructions raised by the 3rd respondent contrary to the provisions of Hyderabad Municipal Corporations Act, 1955 and the bye laws made there under;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri.P.SRIDHAR REDDY 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, CDMA Office Complex, 3rd Floor, Masab Tank, Hyderabad - 4.
2. The Commissioner, The Greater Hyderabad Municipal Corporation, Tank Bund, Hyderabad.
3. P. Srinivasulu, S/o P. Sattaiah, R/o Flat No. 201, 3rd Floor, 3-6-624/1 & 2, Himayathnagar, Seetharama Apartments, Hyderabad.

are directed to show cause on or before 24.12.2020 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 respondents 1 & 2 to forthwith stop the illegal construction being raised by the 3rd respondent in the premises bearing Municipal No. 3-6-624/1&2, Liberty Narayanaguda main road, Himayathnagar, Hyderabad 50029 without obtaining any building approval and contrary to the provisions of Hyderabad Municipal Corporations Act, 1955 and the bye laws made there under, pending disposal of WP No.20290 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.

Post on 24.12.2020.

The official respondents shall consider the representations submitted by the petitioner on 11.08.2020 and 03.10.2020, pass necessary orders thereon and take action, strictly in accordance with law, as expeditiously as possible preferably within a period of three weeks from the date of receipt of a copy of this order. It is needless to mention that before passing the orders, the petitioner as well as respondent No.3 shall be put on notice and afforded an opportunity of hearing. A copy of the order passed by the respondents shall be communicated to the parties.

SD/- B. SATYAVATHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary Municipal Administration & Urban Development Department, State of Telangana, CDMA Office Complex, 3rd Floor, Masab Tank, Hyderabad - 4.
2. The Commissioner, The Greater Hyderabad Municipal Corporation, Tank Bund, Hyderabad.
3. P. Srinivasulu, S/o P. Sattaiah, R/o Flat No. 201, 3rd Floor, 3-6-624/1 & 2, Himayathnagar, Seetharama Apartments, Hyderabad. (RR-1 to 3 by RPAD along with copy of petition and affidavit)
4. One CC to SRI.P.SRIDHAR REDDY 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: 16.11.2020

NOTE: POST ON 24.12.2020

WP.NO.20290 OF 2020

NOTICE BEFORE ADMISSION

DIRECTION



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