

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE TWENTY SEVENTH DAY OF AUGUST TWO THOUSAND AND
NINETEEN:PRESENT:
THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAMIA No. 1 OF 2019
IN
WP NO: 18375 OF 2019

Between:

B. Balaiah, S/o. Pochaiah.

...Petitioner
(Petitioner in WP 18375 OF 2019
on the file of High Court)

AND

1. The Prl. Secretery, Revenue Department, State of Telangana, Secratariat, at Hyderabad.
2. The State of Telangana, Rep. by its Principal Secretary, (Municipal Admn), Secretariat at Hyderabad.
3. The Dist Collector, Office of collectorate at Keesara Village, (Medchal/Malkajgiri Dist), Keesara, Ranga Reddy Dist
4. The Commissioner, G.H.M.C, Lower Tankband Road, Hyderabad.
5. The Dy. Commissioner, G.H.M.C, Circle No.37, Malkajgiri, Hyderabad
6. The Revenue Divisional Officer, Malkajgiri Division, Malkajgiri, Hyderabad.
7. The Tahasildar, Malkajgiri Mandal, Malkajgiri, R.R.Dist
8. B. Anand Das, S/o Kondaiah, Age 38 yrs, Occ. Paster, R/o Ho.No.46-150, Sanjai Gandhi Nagar, Uppuguda, Moulali, Hyderabad.
9. Smt. Parameshwari, W/o. Yadaiah, Aged about 43 years, Occ House Wife R/o Ho.No.46-150, R/o Ho.No.46-150, Sanjai Gandhi Nagar, Uppuguda, Moulali, Hyderabad.

...Respondents
(Respondents in-do-)

Counsel for the Petitioner : Sri B SIVA PRASAD

Counsel for the Respondent Nos.1,3,6 & 7: GP FOR REVENUE (TG)

Counsel for the Respondent No.2 : GP for M/A

Counsel for the Respondent Nos.4 & 5 : Sri Chatla Madhu.

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. 8 and 9 not to make any construction in the government land surrendered by H.No.46-50 and sides of Siva Temple, front and back side of H.Nos.46-51-52, with pillars and slab (G + 2), Sanjay Gandhi Nagar, Upperguda, falling under GHMC, Near Moula Ali, Malkajgiri, (Medchal/Malkajgiri District) Ranga Reddy District, pending disposal of WP No. 18375 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. (The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

Sri Chatla Madhu, learned Standing Counsel for the Greater Hyderabad Municipal Corporation appearing for respondent Nos.4 and 5, submits that respondent Nos.8 and 9 have not obtained any permission for making construction in the subject land and the constructions being made by them are illegal and unauthorized. He also submits that such constructions have already been stopped.

In the light of the fact that there was no permission granted in favour of respondent Nos.8 and 9 for making construction in the subject land, as submitted above by the learned Standing Counsel, there shall be injunction against respondent Nos.8 and 9 from making any further construction on the subject site.

It may be noted that as per the photographs filed by the petitioner, the stage of construction appears is slab has not been laid and only centring has been put up. Taking into consideration the same, respondent Nos.5 and 7 are directed to take the photographs of the subject site as on tomorrow i.e., 28.08.2019 and submit to the Court apart from keeping the same on record. They shall periodically inspect the site in question to ensure that the order of this Court is implemented in its letter and spirit.

Sd/-K.PRABHAKAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Prl. Secretary, Revenue Department, State of Telangana, Secretariat, at Hyderabad.
2. The Principal Secretary, (Municipal Admn), State of Telangana, Secretariat at Hyderabad.
3. The Dist Collector, Office of collectorate at Keesara Village, (Medchal/Malkajgiri Dist), Keesara, Ranga Reddy Dist
4. The Commissioner, G.H.M.C, Lower Tankband Road, Hyderabad.
5. The Dy. Commissioner, G.H.M.C, Circle No.37, Malkajgiri, Hyderabad The Revenue Divisional Officer, Malkajgiri Division, Malkajgiri, Hyderabad.
6. The Tahasildar, Malkajgiri Mandal, Malkajgiri, R.R.Dist
7. B. Anand Das, S/o Kondaiah, Age 38 yrs, Occ Paster, R/o Ho.No.46-150, Sanjai Gandhi Nagar, Uppuguda, Moulali, Hyderabad.
8. Smt. Parameshwari, W/o. Yadaiah, Aged about 43 years, Occ House Wife R/o Ho.No.46-150, R/o Ho.No.46-150, Sanjai Gandhi Nagar, Uppuguda, Moulali, Hyderabad.(1 to 8 By RPAD)
9. One CC to SRI B SIVA PRASAD, Advocate [OPUC]
10. Two CCs to GP FOR REVENUE (TG), High Court at Hyderabad. [OUT]
11. One spare copy

HIGH COURT

CKR,J

DATED:27/08/2019

ORDER

**I.A.NO.1 OF 2019
IN
WP.No.18375 of 2019**

DIRECTION

