

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

THURSDAY, THE ELEVENTH DAY OF JULY TWO THOUSAND AND TWENTY
FOUR

:PRESENT:
THE HONOURABLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION NO: 18120 OF 2024

Between:

Smt. Suman Saurabh Tiwari, W/o. Kumar Saurabh Tiwari, Occ. Advocate.
H.No.5-187/49, SLR Colony, Gundlapochampally, Medchal Mandal, Medchal-
Malkajgiri District

Petitioner

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Dev. Dept., Secretariat Buildings, Hyderabad.
2. The Commissioner and Director of Municipal Administration, 640, AC guards, Masab tank, Opp. PTI building come, Hyderabad, Telangana state.
3. The District Collector, O/o. Medchal-Malkajgiri District Collectorate, Medchal-Malkajgiri District.
4. The Municipal Commissioner, Gundlapochampally Municipality, Medchal Mandal, Medchal-Malkajgiri District.
5. Sri.Vimlesh Pandey, S/o Ram Avatar Pandey, Occ. Business, R/o.H.No.5-187/51/A/1, SLR Colony, Gundlapochampally, Medchal Mandal, Medchal-Malkajgiri District.

Respondents

WHEREAS the Petitioner above named through her Advocate SRI VEERA SAVAN CHAKRAVARTHY DARA 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 appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent No.4 in not considering the representation dt. 28.06.2024 submitted the Petitioner in respect to the unauthorized construction of 1st floor being made by the Respondent No.5 in H.No.5-187/51/A/1, SLR Colony, Gundlapochampally, Medchal Mandal, Medchal-Malkajgiri District, by blocking the public road with construction materials and machinery as arbitrary, illegal, violation of the Article 14, 21 and 300-A of the Constitution of India and violative of the provisions of Section 174(5) and 178(1) and (2) of the Telangana Municipalities Act, 2019 and consequently direct the Respondent No.5 to consider the representation submitted the Petitioner and take appropriate action, as per the provisions of Section 178(1) and (2) of the Telangana Municipalities Act, 2019, against the unauthorized construction of 1st floor being made by the Respondent No.4 in H.No.5-187/51/A/1, SLR Colony, Gundlapochampally, Medchal Mandal, Medchal-Malkajgiri District;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri VEERA SAVAN CHAKRAVARTHY DARA, Advocate for the Petitioner and GP for MA & UD who took notice on behalf of the Respondent Nos.1 to 3 and Sri B. Jagan Madhav Rao, SC who took notice on behalf of the Respondent No.4, directed issue of notice to the Respondent No.5 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

Sri Vimlesh Pandey, S/o Ram Avatar Pandey, Occ. Business, R/o.H.No.5-187/51/A/1, SLR Colony, Gundlapochampally, Medchal Mandal, Medchal-Malkajgiri District.

are directed to show cause on or before 01-08-2024 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 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 Respondent No.4 to consider the representation dt. 28.06.2024 submitted by the Petitioner in respect to the unauthorized construction of 1st floor being made by the Respondent No.5 in H.No. H.No.5-187/51/A/1, SLR Colony, Gundlapochampally, Medchal Mandal, Medchal-Malkajgiri District, pending disposal of WP No. 18120 of 2024, on the file of the High Court.

The Court made the following:

ORDER:

Learned Government Pleader for MA & UD takes notice for respondent Nos.1 to 3, and Sri B. Jagan Madhav Rao, learned Standing Counsel, takes notice for respondent No.4.

Issue notice to unofficial respondent No.4.

Learned counsel for the petitioner is permitted to take out personal notice to respondent No.5 by RPAD/SPEED Post and file proof of service into the Registry.

Learned Standing Counsel appearing on behalf of the 4th respondent submits that though the unofficial respondent had commenced construction of first floor, however, he himself had stopped from proceeding with the construction and is trying to obtain permission for proceeding with the construction.

By stating as above, learned Standing Counsel seeks time.

List the matter on 01-08-2024 in DL-1.

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

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Dev. Dept., State of Telangana, Secretariat Buildings, Hyderabad.
2. The Commissioner and Director of Municipal Administration, 640, AC guards, Masab tank, Opp. PTI building come, Hyderabad, Telangana state.
3. The District Collector, O/o. Medchal-Malkajgiri District Collectorate, Medchal-Malkajgiri District.
4. The Municipal Commissioner, Gundlapochampally Municipality, Medchal Mandal, Medchal-Malkajgiri District. (1 to 4 by RPAD)
5. Sri.Vimlesh Pandey, S/o Ram Avatar Pandey, Occ. Business, R/o.H.No.5-187/51/A/1, SLR Colony, Gundlapochampally, Medchal Mandal, Medchal-Malkajgiri District. (by RPAD- along with a copy of petition and affidavit)
6. One CC to SRI VEERA SAVAN CHAKRAVARTHY DARA Advocate [OPUC]
7. Two CCs to GP FOR MCPL ADMN & URBAN DEV, High Court at Hyderabad. [OUT]
8. One spare copy

HIGH COURT

TVK,J

DATED:11/07/2024

List the matter on 01-08-2024 in DL-1

NOTICE BEFORE ADMISSION

WP.No.18120 of 2024

DIRECTION

