

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



WEDNESDAY, THE ELEVENTH DAY OF SEPTEMBER  
TWO THOUSAND AND NINETEEN

:PRESENT:

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO: 19312 OF 2019

Between:

1. M.Sudhaker Rao, S/o.Late M.Ramchander Rao
2. M.A.Qayyum Siddiui, S/o.M.A.Rahman,
3. S.Ramesh Goud, S/o. Late Parandhamulu Goud
4. S.Dhan Raj Goud, S/o. Late Parandhamulu Goud

....Petitioners

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration & Urban Development Department, Secretariat, Hyderabad
2. The Mahaboobnagar Municipality, Rep. by its Commissioner, At Mahaboobnagar, Mahaboobnagar District
3. The District Collector, At Mahaboobnagar, Mahaboobnagar District
4. The Executive Engineer R & B National Highway Division, At Mahaboobnagar, Mahaboobnagar District

....Respondents

WHEREAS the Petitioners above named through their Advocate M/S.MOHD ZIA UL HAQ 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 a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the actions of the Respondent Nos.2&3 in demanding the Petitioners to handover the possession of the affected portion from their properties i.e. Petitioner No.1s Property bearing Municipal No.1-5-107/5, 6&7 admeasuring 60 Sq.Yards, situated at New Town, Mahaboobnagar Town and its consist of Ground Plus First Floor with Four Mulgies on each Floor, Petitioner No.2s House Property bearing Municipal No.4-1-75/1 admeasuring 100 Sq.Mts, situated at Ramaiahbowli, Raichur Road, Mahaboobnagar Town and its consist of Ground Plus First Floor with Three Mulgies on the Ground Floor and Petitioner Nos.3 and 4s House Property bearing Municipal No.1-5-71/A and 1-5-71/B totally admeasuring 702 Sq.Yards, situated at Near Arts College, New Town, Mahaboobnagar Town and its consist of Ground Plus Three Floors with ~~Four~~ Mulgies on the Ground Floor as illegal, arbitrary and in violation of Principles of Natural Justice and also in violation of Articles, 14, 21 and 300-A of the Constitution of India in the interest of justice;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of MR.MOHD ZIA UL HAQ 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, Secretariat, Hyderabad
2. The Commissioner, Mahaboobnagar Municipality, At Mahaboobnagar, Mahaboobnagar District
3. The District Collector, At Mahaboobnagar, Mahaboobnagar District
4. The Executive Engineer R & B National Highway Division, At Mahaboobnagar, Mahaboobnagar District

are directed to show cause 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 2019**

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.2 to 4 not to demolish or not to dispossess the Petitioners from their properties i.e. Petitioner No.1s Property bearing Municipal No.1-5-107/5, 6&7 admeasuring 60 Sq.Yards, situated at New Town, Mahaboobnagar Town and its consist of Ground Plus First Floor with Four Mulgies on each Floor, Petitioner No.2s House Property bearing Municipal No.4-1-75/1 admeasuring 100 Sq.Mts, situated at Ramaiahbowli, Raichur Road, Mahaboobnagar Town and its consist of Ground Plus First Floor with Three Mulgies on the Ground Floor and Petitioner Nos.3 and 4s House Property bearing Municipal No.1-5-71/A and 1-5-71/B totally admeasuring 702 Sq.Yards, situated at Near Arts College, New Town, Mahaboobnagar Town and its consist of Ground Plus Three Floors with Four Mulgies on the Ground Floor, in the interest of justice, pending disposal of WP No. 19312 of 2019, on the file of the High Court.

**The Court made the following Order:**

Notice before admission.

In view of the interim order passed earlier on 18.03.2019 in W.P.No.12469 of 2019 and extended thereafter, there shall be interim direction as prayed for, for a period of ten (10) weeks.

This order shall not preclude the respondents from taking appropriate action if there is any encroachment of public road.

Post after eight (8) weeks.

**SD/- M.MANJULA**  
**ASSISTANT REGISTRAR**

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Principal Secretary, Municipal Administration & Urban Development Department, State of Telangana, Secretariat, Hyderabad
2. The Commissioner, Mahaboobnagar Municipality, At Mahaboobnagar, Mahaboobnagar District
3. The District Collector, At Mahaboobnagar, Mahaboobnagar District
4. The Executive Engineer R & B National Highway Division, At Mahaboobnagar, Mahaboobnagar District (RR-1 to 4 by RPAD along with copy of petition and affidavit)
5. One CC to MR.MOHD ZIA UL HAQ Advocate [OPUC]
6. Two CCs to GP FOR MUNICIPAL ADMN URBAN DEV (TG), High Court Of Judicature at Hyderabad. [OUT]
7. Two CCs to GP FOR REVENUE (TG), High Court Of Judicature at Hyderabad. [OUT]
8. Two CCs to GP FOR ROADS & BUILDINGS (TG), High Court Of Judicature at Hyderabad. [OUT]

HIGH COURT

CKR,J

DATED: 11.9.2019

NOTE: POST AFTER EIGHT (8) WEEKS

WP.NO.19312 OF 2019

NOTICE BEFORE ADMISSION

DIRECTION

