

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

FRIDAY, THE FIFTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE LAXMI NARAYANA ALISHETTY

WRIT PETITION NO: 13462 OF 2015

Between:

1. T.SRINIVASA CHARY, S/o. Late T.Venkatesam, Aged about 49 Years, R/o. H.No.6-6-269/69, Arunajyothi Colony, Gandhinagar, Secunderabad-500 003.
2. B.SHANTHI KUMAR, S/o. Basmaiah, Aged about 65 Years, R/o. H.No.6-6-269/71, Arunajyothi Colony, Gandhinagar, Secunderabad-500 003.

.....PETITIONERS

AND

1. GREATER HYDERABAD MUNICIPAL CORPORATION, Rep. by its Additional Commissioner, Tankbund, Hyderabad.
2. SINGAM SETTI SRINIVAS, S/o. S.Venkatesham, Aged about 55 Years, Occ Business, R/o. 6-6-269/70 and 6-6-269/67, Plot No.70, Arunajyothi Colony, Gandhinagar, Secunderabad- 500 003.
3. SINGAM SETTI MANOHAR, S/o. S.Venkatesham, Aged about 53 Years, Occ Business, R/o. 6-6-269/70 and 6-6-269/67, Plot No.70, Arunajyothi Colony, Gandhinagar, Secunderabad- 500 003.

.....RESPONDENTS

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 of mandamus or any other appropriate Writ or Writs, Order or Orders questioning the action of Respondent No.1 in not considering the Representations Dated 12.01.2015 and 27.02.2015 submitted by the Petitioners wherein they have requested to take action against the Respondent Nos. 2 and 3 for their illegal running of manufacturing unit of Iron Foundation Bolts at H.No.6-6-269/70 and H.No.6-6-269/67 on Plot Nos.70 and 67 respectively, situated at Arunajyothi Colony, Gandhinagar, Secunderabad- 500 003 in the Residential Area without obtaining any valid permission and causing disturbance to the

neighbourers like the Petitioners herein is illegal, arbitrary, unjust and also in violation of principles of natural justice and consequently direct the Respondent No.1 to take action against Respondent Nos.2 and 3 for their illegal running of the manufacturing unit in the residential area.

I.A.NO:1 OF 2015 (WPMP.NO:17677 OF 2015)

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.1 to consider the representations Dated 12.01.2015 and 27.02.2015 wherein the Petitioners had requested to take action against the Respondent Nos.2 & 3 for their illegal running of manufacturing unit of Iron Foundation Bolts at H.No.6-6-269/70 and H.No.6-6-269/67 on Plot Nos.70 and 67 respectively, situated at Arunajyothi Colony, Gandhinagar Secunderabad- 500 003 in the Residential Area.

**Counsel for the Petitioners : SRI SUHASH, COUNSEL REPRESENTING
SRI RESU MAHENDER REDDY**

Counsel for the Respondent No.1 : SRI G.MADHUSUDAN REDDY

Counsel for the Respondent Nos.2 & 3 : SRI CH.JAYA KRISHNA

The Court made the following ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDEABAD

HON'BLE SRI JUSTICE LAXMI NARAYANA ALISHETTY

WRIT PETITION No.13462 of 2015

DATE : 05.12.2025

Between:

T. Srinivasa Chary & Others

...Petitioner

AND

Greater Hyderabad Municipal Corporation & others

...Respondents

ORDER:

This writ petition is filed seeking following relief:

"To declare the action of the respondent No.1 in not considering the representations dated 12.01.2015 and 27.02.2015 submitted by the petitioners wherein they have requested to take action against the respondent Nos.2 and 3 for their illegal running of manufacturing unit of Iron Foundation Bolts at H.No.6-6-269/70 and H.No.6-6-269/67 on plot Nos.70 and 67 respectively, situated at Arunajyothi Colony, Gandhinagar, Secunderabad in the residential area without obtaining any valid permission and causing disturbance to the neighbours like the petitioners herein as illegal and arbitrary."

2. Heard Sri Suhash, learned counsel representing Sri Resu Mahender Reddy, learned counsel for the petitioners, Sri G. Madhusudan Reddy, learned Standing counsel for respondent No.1 and Sri C.H. Jaya Krishna, learned counsel for respondent Nos.2 and 3.

3. Brief facts of the issue as averred in writ affidavit are that petitioner No.1 is the absolute owner and possessor of residential house bearing H.No.6-6-269/69 in plot No.69 and petitioner No.2 is the absolute owner and possessor of residential house bearing H.No.6-6-269/71 in plot No.71, situated at Arunajyothi Colony, Gandhinagar, Secunderabad (herein after referred to as "the subject property") He further submitted that respondent Nos.2 and 3, who are neighbors to the petitioners are illegally running a manufacturing unit of Iron Foundation Bolts in the subject property and they are running the manufacturing unit all through day and night round the clock without any break in the residential area, due to which there are heavy noises, vibrations and disturbances to the neighbors and huge metal dust has also been entered in the locality which is causing air pollution; and that petitioners gave complaint to the Telangana State Pollution Control Board (TSPCB) on 23.12.2014, against the air pollution being caused by respondent Nos.2 and 3; that the officials of TSPCB inspected the subject property and addressed a letter dated 13.02.2015 to respondent No.1/GHMC, wherein it is observed that the subject property is surrounded by thick residential houses/godowns and that there is every chance of noise and nuisance to the surrounding residents and also severe

vibrations from the engineering activities and engineering waste is being dumped in the surroundings.

4. It is further averred that petitioners submitted a representation dated 12.01.2015 to respondent No.1 to take action against respondent Nos.2 and 3 for running illegal manufacturing of Iron Foundation Bolts in the subject property and despite receiving the said representation, respondent No.1 did not take any action. The petitioners submitted another representation dated 27.02.2015 to respondent No.1 to take action against respondent Nos.2 and 3, but respondent No.1 did not take any action. Aggrieved by the same, present writ petition is filed.

5. Counter is filed on behalf of respondent No.1 simply denying the averments made in the writ affidavit without stating as to whether any action has been taken by respondent No.1/GHMC on the representation given by the petitioners.

6. Respondent Nos.2 and 3 filed counter affidavit stating that they are not illegally running manufacturing unit of Iron Foundation Bolts in the subject property and the allegations made by the petitioners are frivolous and no notice or opportunity of hearing was afforded to the petitioners prior to the TSPCB addressing a letter dated 13.02.2015 to respondent No.1 and it is further averred that the subject property consists

of four blocks i.e., A, B, C and D blocks, which were initially under the control of Endowment Department; that initially, no permission was given for construction, subsequently, the same was permitted by the GHMC. It is further averred that respondent Nos.2 and 3 have submitted a representation dated 17.10.2025 under Section 455A and 455AA of the GHMC Act, 1955 to regularize the subject property and the same is pending and in a writ petition *vide* W.P.No.32173 of 2025 filed by respondent No.2, this Court granted interim order directing the respondents/GHMC not to interfere with the possession of respondent No.2/petitioner therein.

7. Learned counsel for the petitioners submitted that petitioners and the locality are put to severe inconvenience because of noise and dust which is emanating from manufacturing activity being carried out by respondent Nos.2 and 3. He further submitted that despite letter dated 13.02.2015 addressed by TSPCB to respondent No.1, no action has been taken and two representations dated 12.01.2015 and 27.02.2015 filed by the petitioners are not considered by the respondent No.1.

8. On the other hand, learned counsel for respondent Nos.2 and 3 submitted that previously, no license was given by the GHMC. However, recently, respondent Nos.2 and 3 have

obtained trade license on 31.10.2025, therefore, the allegations made by the petitioners that respondent Nos.2 and 3 are carrying out manufacturing work illegally is factually incorrect and thus, prayed to dismiss the writ petition.

9. Perusal of the record disclose that Pollution Control Board has inspected the subject property and addressed a letter dated 13.02.2015 to respondent No.1 stating that engineering waste is being dumped in the subject property and there is every chance of noise, nuisance to the surrounding residents as well as severe vibrations from the engineering activities carried out by respondent Nos.2 and 3 and further the shutter/activity is surrounded by thick residential houses/godowns. In the counter affidavit filed by respondent No.1, there is no reference to the observation made by the Pollution Control Board as well as categorical averments made by the petitioners with regard to noise, air pollution and inconvenience caused to the local people. Though, the respondent Nos.2 and 3 have obtained trade license recently, the same is subject to certain conditions and the same can be suspended/cancelled if the applicable terms and conditions are found to have been contravened or any situation arises out of the trade so as to cause nuisance/damage/harm to property or health of public and that

building is used for running the business in other than zones prescribed for the said activity.

10. In the light of the above facts and circumstances, this Court deems it appropriate to dispose of the writ petition with a direction to respondent No.1 to inspect the premises and take appropriate action, if the terms of trade license are violated or if the activity being carried out by respondent No.2 and 3 is contrary to zone regulations and the same is causing noise, air pollution in the locality by duly issuing notice to the petitioners and respondent Nos.2 and 3 and also affording them an opportunity of hearing.

11. Accordingly, this Writ Petition is disposed of. No order as to costs.

Miscellaneous petitions, if any pending, shall stand dismissed.

SD/-S. MALLIKARJUNA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Additional Commissioner, GREATER HYDERABAD MUNICIPAL CORPORATION, Tankbund, Hyderabad.
2. One CC to M/s RESU LAW OFFICE, Advocate [OPUC]
3. One CC to SRI G.MADHUSUDAN REDDY, Advocate [OPUC]
4. One CC to SRI CH.JAYA KRISHNA, Advocate [OPUC]
5. Two CD Copies

SA
GJP

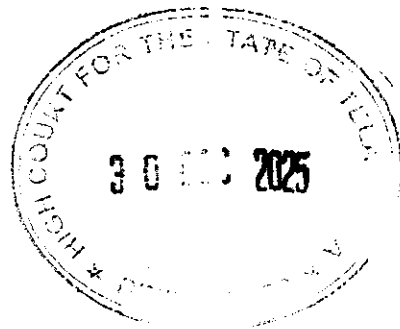
[Handwritten signature]

HIGH COURT

DATED:05/12/2025

ORDER

WP.No.13462 of 2015



DISPOSING OF THE W.P
WITHOUT COSTS.

(7) *lpr*
29/12/25