

[3383]

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

TUESDAY, THE SECOND DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE LAXMI NARAYANA ALISHETTY

WRIT PETITION NO: 38933 OF 2014

Between:

Dr. Arshi Khan, Aged about 44 years, Occ Doctor, R/o.5-9-88/3/C, Opp Fateh Maiden Club Gate, Basheerbagh, Hyderabad.

AND

...PETITIONER

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Department, Secretariat at Hyderabad.
2. The Greater Hyderabad Municipal Corporation, Rep. by, its Commissioner, Having its office at Municipal Head Office, Tank Bund, Hyderabad.
3. The Assistant City Planner, Town Planning Section, Circle No.5, Khairatabad, Municipal Corporation of Hyderabad, Kharitabad, Hyderabad.
4. Mr.Pokar Ram Chowdary, S/o.Kenaramji, Aged about 41 years, Occ Business, R/o.A-18, Madhura Nagar, Near Anupama High School, Yousuguda, Hyderabad
5. Mr.Kailash, S/o.Shankerlal, Aged about 43 years, Occ Business, R/o.8-3-225/63/a, Yadagiri Nagar, Yousufguda, Hyderabad
6. Mr.N.Swamulu, S/o.Anjaiah, Aged about 46 years, Occ Business, R/o.8-3 - 318/9/H1, Engineers Colony, Yellareddy Guda, Hyderabad.
7. Mr.Khader, S/o.Mohd.Asam, Aged about 40 years, R/o.8-3-225/621, Sreeram Nagar, Yousufguda, Hyderabad.
8. Smt.K.Poornima Komati, D/o.K.Narsing Rao, Aged about 25 years, R/o.D-19, Madhura Nagar, S.R.Nagar Post, Hyderabad.

...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, Order or Direction more particularly one in the nature of Writ of Mandamus by declaring the action of the Respondents Nos.1 to 3 more particularly the Respondent Nos.2 and 3 in failing to take action upon the Unofficial Respondent Nos.4 to 8 who have occupied the MCH open space and the Respondent No.8 unauthorisedly constructed the shops in the open space and also on the Writ Petitioner's Open Plot (being in Municipal No.8-3318/6/3/13/12B, admeasuring 302 Sq.Yards, Situated at Imamguda, (Now

Yousufguda) Hyderabad, which is adjacent to open space by creating a Municipal Door No.8-3-222/12/A/1 to 6, Madhura Nagar, Hyderabad. Infact it is a Municipal Open Space of Mrs.Shahana Arjumand approved Layout (vide L.P.No.1/82/P0/61A), Situated at Yousufguda, Hyderabad and failing to take action in the light of their final notice dt.07-09-2006 issued under section 636 of HMC Act, as the Status Quo Order for a period of two months granted by this Hon'ble Court on 07-10-2014 in W.P.No.21899/2006 was expired on 06-12-2014, as arbitrary, ex-facie illegal, highhanded and dereliction of duty and consequently direct the Respondent Nos.1 to 3 to demolish the said unauthorized construction in the light of their final notice dt.07-06-2006 issued under section 636 of HMC Act by taking necessary police protection, in the interest justice

I.A. NO: 1 OF 2014(WPMP. NO: 48771 OF 2014)

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 3 to demolish the said unauthorized construction in the light of their final notice dated 7.9.2006 issued under section 636 of HMC Act by taking necessary police protection with an immediate effect pending disposal of the main writ petition

Counsel for the Petitioner: SRI. NAZIR AHMED KHAN
**Counsel for the Respondent No.1 : GP FOR MUNICIPAL ADMINISTRATION
AND URBAN DEVELOPMENT**

Counsel for the Respondent Nos. 2&3: SRI G. MADHUSUDHAN REDDY, SC
Counsel for the Respondent No.8: SRI P. V. MAHESH
Counsel for the Respondent Nos. 4to6,7:--

The Court made the following: ORDER

**HIGH COURT FOR THE STATE OF TELANGANA AT
HYDERABAD**

THE HON'BLE SRI JUSTICE LAXMI NARAYANA ALISHETTY

WRIT PETITION No.38933 of 2014

DATE OF ORDER: 02.12.2025

BETWEEN:

Dr.Arshi Khan

... Petitioner

AND

The State of Telangana, rep. by its
Prl.Secretary and 7 others.

... Respondents

: ORDER :

This writ petition is filed to declare the action of respondent Nos.1 to 3 in not taking any action against unofficial respondent Nos.4 to 8 who have occupied the MCH open space, despite issuance of final notice dated 07.09.2006 under Section 636 of the HMC Act and even after the status quo orders issued by this Court on 07.10.2014 in WP.No.21899/2006 had expired, as illegal and arbitrary and for a consequential relief.

2. No representation on behalf of the petitioner.

3. Sri G.Madhusudhan Reddy, learned Standing Counsel for respondent Nos.2 and 3, is present.

4. When the Writ Petition was listed on 22.10.2025 and 24.11.2025, there was no representation on behalf of the petitioner and as such, this Court directed the matter to be listed under the caption 'for dismissal'.

5. Even though the matter is listed today under the caption 'for dismissal', none appears for the petitioner. It appears that the petitioner is not interested in prosecuting the matter.

6. Accordingly, the Writ Petition is dismissed for non-prosecution. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

SD/- B.REKHA RANI
ASSTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

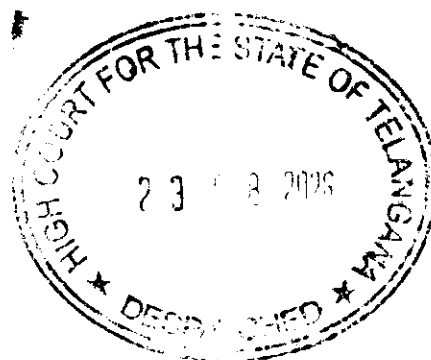
1. Two CCs to GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, High Court for the State of Telangana, at Hyderabad [OUT]
2. One CC to SRI. NAZIR AHMED KHAN, Advocate [OPUC]
3. One CC to SRI. P. V. MAHESH, Advocate [OPUC]
4. One CC to SRI. G. MADHUSUDHAN REDDY, SC [OPUC]
5. Two CD Copies

B M
TKS

Handwritten signature

HIGH COURT

DATED:02/12/2025



ORDER

WP.No.38933 of 2014

**DISMISSING THE WRIT PETITION FOR
NON-PROSECUTION WITHOUT COSTS**

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NT
12/2/26.