

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

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

:PRESENT:

THE HON'BLE SRI JUSTICE ANIL KUMAR JUKANTI

CONTEMPT CASE NO: 2748 OF 2024

Between:

M/s. Andhra Bank Staff Welfare Association of Pattabhi Towers, Now Pattabhi Towers Flat Owners Association, Rep. by its Secretary Uppuluri Vijay Bhaskar, S/o. Late U.Dasaradha Ramaiah, Aged about 52 Years, Occ: Lecturer, R/o. Flat No.212, Pattabhi Towers, RTC Cross Roads, Musheerabad, Hyderabad.

Petitioner

AND

1. Brijlal Tapadia, S/o. Kishanlal Tapadia, Aged about 74 Years, Occ: Business, R/o. 1-7-1072/A, Musheerabad Road, RTC Cross Roads, Hyderabad
2. Rajendra Kumar Tapadia, S/o. Brijlal Tapadia, Aged about 47 Years, Occ: Business, R/o. 1-7-1072/A, Musheerabad Road, RTC Cross Roads, Hyderabad
3. The Deputy Commissioner, GHMC, Musheerabad, RTC Cross Roads, Hyderabad.
(R-3 suo motu impleaded as per Court order dt: 11-09-2025 in CC. No. 2748/2024)

.....Respondents

WHEREAS the petitioner has presented the Contempt Case under Sections 10 to 12 of the Contempt of Courts Act, 1971, through its Counsel Sri Koppula Gopal, praying the High Court to punish the respondents herein for wilful disobedience of the order dated 08-10-2014 passed in IA. No. 2 of 2013 (SAMP. No. 2817 of 2013) in SA. No. 998 of 2013.

Counsel for the Petitioner : SRI KOPPULA GOPAL

Counsel for Respondent Nos. 1 & 2: SRI DAMODAR MUNDRA

WHEREAS the said case coming on for hearing, and whereas the High Court, upon perusing the affidavit filed therein, and the earlier orders dated: 03-01-2025, 01-04-2025, 13.08.2025, 11-09-2025 & 28-11-2025, made the following;

ORDER:

This Court on 28.11.2025 has passed the following order:-

“On the last occasion, when the matter came up for hearing, on the submissions of both the counsels and on agreement of the counsels, this Court orally requested GHMC to mark a dividing line, since the road is the issue, where Tapadia Diagnostic Centre has been highlighting its woes and so are the residents of the apartments adjacent to the Diagnostic Centre.

The entire issue revolves around the place of parking.

A Second Appeal on the same issue is pending before this Court. Pending Second Appeal, this contempt case is taken up only for a peaceful neighbourhood existence between the long standing neighbours.

Mr. Deepak Mishra, learned counsel for respondent-diagnostic centre, submitted that there is no place for parking ambulance.

As observed from photographs placed on record, the road dividers used are movable. Whenever there is a requirement of the ambulance, the security at the disposal of the diagnostic centre, can always adjust so that ambulance can take the patient upto the door of the diagnostic centre and then take it back and park it in the appropriate parking place, which is allotted to the diagnostic centre. At least, this would not precipitate matters, till the second appeal is heard.

It is also made clear that residents of the apartment shall cooperate, so that there is a peaceful atmosphere.

It is imperative that all citizens in the society should give in for the larger interest of public for a peaceful existence. It is only for this reason, this Court directed the GHMC authorities to make a marking, and place the mobile dividers, so that at least there is no other division in the minds of the persons or citizens who are existing in the same locality.

List the matter on 05.12.2025.”

Today, when the matter is called, photographs were placed before this Court. From the photos submitted by both sides, it appears that citizens in the vicinity of the subject dispute land are more concerned with their personal interests than with the public interest of maintaining peaceful co-existence in society. As noted earlier, this Court requested counsel(s) to ensure that at least a way or passage be provided for an ambulance so that access to the diagnostic centre is not obstructed.

Be that as it may, it appears that there is a deadlock between both the parties.

Having considered the submissions made across the Bar by both the counsels and on the basis of the photos, this Court is of the considered opinion that the Deputy Commissioner of GHMC of the concerned area shall appoint an officer of the cadre of Section Officer to inspect and demarcate the area. The said officer shall prepare a map of the entire area in respect of all immovable constructions and other impediments if any brought to the notice by local residents, the entire area shall be surveyed, photographs be taken wherever necessary. The appointed officer shall submit the report to the Deputy Commissioner of GHMC, who shall place it before this Court by next week.

The Section Officer is empowered, by virtue of this order, to enter the said area and obtain information from the local residents regarding the entire stretch on both sides, so as to provide a fair and accurate picture of the situation prevailing on the ground. This Court is conscious of the fact that the matter concerns to common area and that initiating contempt

proceedings at this stage may cause administrative complications. Primary concern of the parties must be for a peaceful co-existence of the residents of apartments and the management of an established Diagnostic Centre, their competing claims must be balanced.

It is only with a view to strike a balance between the parties this Court restrains itself in contempt proceedings. Doing so at this stage would only further complicate matters and create an unwanted situation.

Learned Senior Counsel appearing on behalf of the Diagnostic Centre submits that certain movable equipment is required to be installed in the building of the Diagnostic Centre, and such movable equipment must be transported by vehicles. The transportation of such motor vehicles shall be carried out in the presence of the Section Officer of the Municipal Corporation. The Section Officer shall ensure that the vehicle transports the equipment to the Diagnostic Centre and that the vehicle is sent back immediately after completing the delivery. If necessary, the Station House Officer of the concerned Police Station shall assist the GHMC Section Officer in assisting during the visit to the area for report and carrying out the directions.

No obstruction or hindrance for patients for access to the Diagnostic Centre be blocked or interfered.

Vehicles used for dropping patients at the Diagnostic Centre shall not create any obstruction or inconvenience to the locals.

Post the matter on 09.01.2026.

//TRUE COPY//

SD/-MOHD.ISMAIL
DEPUTY REGISTRAR



SECTION OFFICER

To

1. Brijlal Tapadia, S/o. Kishanlal Tapadia, Aged about 74 Years, Occ: Business, R/o. 1-7-1072/A, Musheerabad Road, RTC Cross Roads, Hyderabad
2. Rajendra Kumar Tapadia, S/o. Brijlal Tapadia, Aged about 47 Years, Occ: Business, R/o. 1-7-1072/A, Musheerabad Road, RTC Cross Roads, Hyderabad
3. The Deputy Commissioner, GHMC, Musheerabad, RTC Cross Roads, Hyderabad.
4. The Station House Officer, Musheerabad Police Station, Musheerabad. (Addressees 1 to 4 BY SPAD)
5. One CC to Sri Koppula Gopal, Advocate (OPUC)
6. One CC to Sri Damodar Mundra, Advocate (OPUC)
7. One Spare Copy

HIGH COURT

JAK J

DATE: 05-12-2025

NOTE: LIST ON 09-01-2026

ORDER

C.C. NO. 2748 of 2024

DIRECTION

