

(SHOW CAUSE NOTICE BEFORE ADMISSION)
 HIGH COURT OF JUDICATURE AT HYDERABAD
 FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
 (Special Original Jurisdiction)
 FRIDAY, THE FOURTEENTH DAY OF SEPTEMBER TWO THOUSAND AND EIGHTEEN
 :PRESENT:

THE HONOURABLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION NO: 33059 OF 2018

Between:

Meraj Begum, D/o. Mohammed Rahman, Aged about 58 years, Occ: House Hold,
 R/o. H.No.2-3-603/34, Amberpet Police Line, Hyderabad.

...Petitioner

AND

1. The State of Telangana, Rep. by Principal Secretary (Revenue Department), Secretariat, Hyderabad.
2. The District Collector, Hyderabad District, Nampally, Hyderabad.
3. The Revenue Divisional Officer, Hyderabad Division, Nampally, Hyderabad.
4. The Tahasildar, Saidabad Mandal, Hyderabad.

...Respondents

WHEREAS the Petitioner above named through her Advocate M/s. K. RAVINDER REDDY presented this writ petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed therein, the High Court may be pleased to issue any Appropriate Writ or Order or Direction more particularly one in the nature of writ of Mandamus declaring the action of the Respondents more particularly Respondent No.4 in interfere with the construction/renovation work of the petitioner in the property house bearing Municipal No.16-2-738/14/A/8(Portion), admeasuring 198 Sq. Yards out of 419 Sq. Yards, in Plot No.37 (Part 2/C), situated at Gadiannaram, Malakpet, Saidabad Mandal, Hyderabad as illegal, arbitrary and in violation of the Principles of natural justice besides being violative of Articles 14, 21 and 300-A of the Constitution of India and consequently direct the respondents not to interfere with the construction/renovation work of the petitioner in the proeprty house bearing Municipal No.16-2-738/14/A/8(Portion), admeasuring 198 Sq. Yards out of 419 Sq. Yards, in Plot No.37 (Part 2/C), situated at Gadiannaram, Malakpet, Saidabad Mandal, Hyderabad;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of M/s. K. RAVINDER REDDY, 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 in the circumstances set out in the petition and the affidavit filed in Writ Petition;

You viz:

1. The Principal Secretary (Revenue Department), State of Telangana, Secretariat, Hyderabad.
2. The District Collector, Hyderabad District, Nampally, Hyderabad.
3. The Revenue Divisional Officer, Hyderabad Division, Nampally, Hyderabad.
4. The Tahasildar, Saidabad Mandal, Hyderabad.

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 2018

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 respondents not to interfere with the construction/renovation work of the petitioner in the property house bearing Municipal No.16-2-738/14/A/8 (Portion), admeasuring 198 Sq. Yards out of 419 Sq. Yards, in Plot No.37 (Part 2/C), situated at Gadiannaram, Malakpet, Saidabad Mandal, Hyderabad pending disposal of the above Writ Petition No.33059 of 2018, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission.

It is to be noted that this Court in W.P.No.9931 of 2015, while dealing with the subject property, passed the following interim order:

".....

It is submitted that with respect to the land in Survey No.318/1 of Gaddiannaram Village, in which the present land admeasuring Acs.109.29 guntas, being part of the same, W.P.No.16618 of 2011 and batch are pending before the Division Bench.

The initial stay granted by the Division Bench on 20th June, 2011, suspending the stoppage of constructions, was later modified by order dated 14.11.2012 in W.P.M.P.No.38617 of 2012 in W.P.M.P.No.20162 of 2011 in W.P.No.16789 of 2011. Further, vacate stay petitions filed were also dismissed on 03.10.2013 modifying the order passed on 14.11.2012 in W.P.M.P.No.38617 of 2012.

In these circumstances, in the present writ petition, there shall be interim order in terms of the order of the Division Bench dated 14.11.2012. The petitioners shall be entitled to proceed with the constructions in accordance with the sanctioned plan. The constructions, if any, made pursuant to this order, shall be subject to result of the writ petition. The petitioners shall not claim any equities."

In view of the above, there shall be interim order in terms of the order of the Division Bench dated 14.11.2012. The petitioner shall be entitled to proceed with the constructions in accordance with the sanctioned plan. The constructions, if any, made pursuant to this order, shall be subject to result of the writ petition. The petitioner shall not claim any equities".

//TRUE COPY//

SD/- I. NAGA LAKSHMI
ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To

1. The Principal Secretary (Revenue Department), State of Telangana, Secretariat, Hyderabad. ✓
2. The District Collector, Hyderabad District, Nampally, Hyderabad. ✓
3. The Revenue Divisional Officer, Hyderabad Division, Nampally, Hyderabad. ✓
4. The Tahasildar, Saidabad Mandal, Hyderabad (RR 1 to 4 by RPAD along with a copy of petition and affidavit). ✓
5. One CC to M/s. K. RAVINDER REDDY, Advocate [OPUC]. ✓
6. Two CCs to GP FOR REVENUE (TG), High Court of Judicature at Hyderabad [OUT]. ✓
7. One spare copy.

HIGH COURT

CPKJ

DATED: 14/09/2018

NOTICE BEFORE ADMISSION



WP.No.33059 of 2018

INTERIM DIRECTION