

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

FRIDAY, THE TWENTY NINTH DAY OF MAY  
TWO THOUSAND AND TWENTY

**PRESENT**

**THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION NOS: 7074, 7083 AND 7094 OF 2020**

**WP NO: 7074 OF 2020**

**Between:**

Mohammed Waheeduddin Zubair, S/o Mohammed Iqbaluddin Siddiqui, Aged about 54 years, Occ. Private Employee, R/o H.No. 19-4-394/2, Kishan Bagh Road, Behadurpura, Hyderabad.

**...PETITIONER**

**AND**

1. The State of Telangana, Rept., by its Pri Sect MA and UD, Secretariat Building, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation, Lower Tank Bund, Hyderabad.
3. The Assistant City Planner, Greater Hyderabad Municipal Corporation, Circle 11, Rajendranagar, Ranga Reddy District.

**...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, more particularly one in the nature of Mandamus, declaring the action of the respondents herein particularly respondent No.3 herein in intentionally issuing demolition notice No. G- 65/W59/TPS/CRZ/C11/GHMC/2020 dated -03-2020 with respect to D.No. 8-1-207/6/49 plot No. 49, situated at Tata Nagar, Mailardevpally Division, Rajendra Nagar, Circle-11, GHMC, Ranga Reddy District during lock-down period in a mechanical manner as highly illegal, arbitrary, clear violation of petitioner fundamental rights and against principles of natural justice, in consequence set aside notice No. G-65/W59/TPS/CRZ/C11/GHMC/2020 dated -03-2020 with respect to D.No. 8-1-207/6/49 plot No. 49, situated at Tata Nagar, Mailardevpally Division, Rajendra Nagar, Circle-11, GHMC Ranga Reddy District.

**IA NO: 1 OF 2020**

Potition 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 stay all further proceedings including demolition pursuant to Show Cause notice No. G-65/W59/TPS/CRZ/C11/GHMC/ 2020 dated -03-2020 issued with respect to D.No. 8-1-207/6/49 plot No. 49, situated at Tata Nagar, Mailardevpally Division, Rajendra Nagar, Circle-11, GHMC.

**Counsel for the Petitioner: SRI. SYED SHAH QUBULULLAH HUSSAINI**

**Counsel for the Respondent No. 1: GP FOR MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT**

**Contd.**

**Counsel for the Respondent Nos. 2 & 3: SRI. N. ASHOK KUMAR, SC FOR GHMC**

**WP NO: 7083 OF 2020**

**Between:**

Mohammed Haneef Arshad, S/o Late Mohammed Hayath, Aged about. 49 years, Occ. Private Employee, R/o H.No. 19-3-413, Jahanuma Water Tank, Hyderabad, T.S.

**...PETITIONER**

**AND**

1. The State of Telangana, Rept., by its Pri Sect MA and UD, Secretariat Building, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation, Lower Tank Bund, Hyderabad.
3. The Assistant City Planner, Greater Hyderabad Municipal Corporation, Circle 11, Rajendranagar, Ranga Reddy District.

**...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, more particularly one in the nature of Mandamus, declaring the action of the respondents herein particularly respondent No.3 herein in intentionally issuing demolition notice No. G-84/W59/TPS/CRZ/C11/GHMC/2020 dated 21/03/2020 with respect to H.No. 8-1-207/21 situated at Tata Nagar, Mailardevpally Division, Rajendra Nagar, Circle-11, GHMC, Ranga Reddy District during lock-down period in a mechanical manner as highly illegal, arbitrary, clear violation of petitioner fundamental rights and against principles of natural justice, in consequence set aside notice No. G- 84/W59/TPS/CRZ/C11/GHMC/2020 dated 21/03/2020 with respect to House No. 8-1-207/21 situated at Tata Nagar, Mailardevpally Division, Rajendra Nagar, Circle - 11, GHMC, Ranga Reddy District.

**IA NO: 1 OF 2020**

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 stay all further proceedings including demolition pursuant to Show Cause notice No. G 84/W59/TPS/CRZ/C11/GHMC/2020 dated 03/2020 with respect to House No. 8-1-207/21 situated at Tata Nagar, Mailardevpally Division, Rajendra Nagar, Circle - 11, GHMC, Ranga Reddy District.

**Counsel for the Petitioner: SRI. SYED SHAH QUBULULLAH HUSSAINI**

**Counsel for the Respondent No. 1: GP FOR MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT**

**Counsel for the Respondent Nos. 2 & 3: SRI. N. ASHOK KUMAR, SC FOR GHMC**

**WP NO: 7094 OF 2020**

**Between:**

Mohammed Zakiuddin Kaiser, S/o Late Mohammed Iqbaluddin Siddiqui, Aged about. 54 years, Occ. Private Employee, R/o H.No. 19-4-394/2, Kishan Bagh Road, Bahadurpura, Hyderabad.

**...PETITIONER**

**AND**

1. The State of Telangana, Rept., by its Prl Sect MA and UD, Secretariat Building, Hyderabad
2. The Commissioner, Greater Hyderabad Municipal Corporation, Lower Tank Bund, Hyderabad.
3. The Assistant City Planner, Greater Hyderabad Municipal Corporation, Circle 11, Rajendarnagar, Ranga Reddy District.

#### ...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, more particularly one in the nature of Mandamus, declaring the action of the respondents herein particularly respondent No.3 herein in intentionally issuing demolition notice No. G-63/W59/TPS/CRZ/C11/GHMC/2020 dated -03-2020 with respect to H.No. 8-1-207/6/43 situated at Tata Nagar, Mailardevpally Division, Rajendra Nagar, Circle-11, GHMC, and demolition notice No. G-64/W59/TPS/CRZ/C11/GHMC/2020 dated -03-2020 with respect to Plot No. 43, situated at Tata Nagar, Mailardevpally Division, Rajendra Nagar, Circle-11, GHMC, during lock-down period in a mechanical manner as highly illegal, arbitrary, clear violation of petitioner fundamental rights and against principles of natural justice, in consequence set aside notice No. G-63/W59/TPS/CRZ/C11/GHMC/2020 dated -03-2020 and G-63/W59/TPS/CRZ/C11/GHMC/2020 dated -03-2020 with respect to Plot No. 43, House No. 8-1-207/6/43 situated at Tata Nagar, Mailardevpally Division, Rajendra Nagar, Circle-11, GHMC.

#### **IA NO: 1 OF 2020**

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 stay all further proceedings including demolition pursuant to Show Cause notice No. G-63/W59/TPS/CRZ/C11/GHMC/2020 dated -03-2020 and G-64/W59/TPS/CRZ/C11/GHMC/2020 dated -03-2020 with respect to Plot No. 43, House No. 8-1-207/6/43 situated at Tata Nagar, Mailardevpally Division, Rajendra Nagar, Circle-11, GHMC Ranga Reddy District.

**Counsel for the Petitioner: SRI. SYED SHAH QUBULULLAH HUSSAINI**

**Counsel for the Respondent No. 1: GP FOR MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT**

**Counsel for the Respondent Nos. 2 & 3: SRI. N. ASHOK KUMAR, SC FOR GHMC**

**The Court made the following:**

#### **COMMON ORDER:**

Heard learned counsel for the petitioners as well as Sri N. Ashok Kumar, learned Standing Counsel for the respondent – Corporation and with their consent, the Writ Petitions are disposed of at the admission stage.

This Writ Petitions are filed seeking a *mandamus* to declare the respective notices issued by the 3<sup>rd</sup> respondent, dated .03.2020, dated 21.03.2020 and dated .03.2020, in respect of the property bearing Door No. 8-1-207/6/49, 8-1-207/21 and 8-1-207/6/43 situated at Tata Nagar, Rajendra Nagar, R.R. District, as illegal.

Learned Standing Counsel points out that with regard to the unauthorised constructions made by the petitioners in violation of the orders of this Court, notices under Sections 452 and 461 of the Greater Hyderabad Municipal Corporation Act, 1955 have already been issued and the petitioners are yet to respond to the same.

In view of the above and also considering the fact that the notices were dated 21.3.2020, two weeks' time is granted to the petitioners to submit their explanation through e-mail (ID to be furnished by the learned Standing Counsel) to the Deputy Commissioner concerned of the Corporation, after consideration of which, the respondent Corporation shall pass appropriate final orders. Till then, no coercive action shall be taken against the petitioners with respect to the constructions allegedly made, without following due process of law.


The Writ Petitions are accordingly, disposed of. No costs.

The miscellaneous Applications, if any shall stand closed.

**Sd/- THE HON'BLE SRI JUSTICE CHALLAKODANDA RAM**

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**REGISTRAR (JUDICIAL II)**  


  
**SECTION OFFICER**

To,

1. The Pri Secretary, MA and UD, State of Telangana, Secretariat Building, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation, Lower Tank Blind, Hyderabad.
3. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Circle- 11 Rajendranagar, Hyderabad.
4. The Assistant City Planner, Greater Hyderabad Municipal Corporation, Circle 11, Rajendranagar, Ranga Reddy District.
5. One CC to Sri. Syed Shah Qubulullah Hussaini, Advocate (OPUC)
6. One CC to Sri. N. Ashok Kumar, SC for GHMC (OPUC)
7. Two CCs to GP for Municipal Administration & Urban Development, High Court for the State of Telangana at Hyderabad (OUT)
8. The Assistant City Planner Greater Hyderabad Municipal Corporation, Circle II, Rajendranagar Ranga Reddy District
9. Two CD Copies.

P/M

HIGH COURT

CKR,J

DATED:29/05/2020



**ORDER**

**WP.Nos. 7074, 7083 and 7094 of 2020**

Disposing of the WPs  
**Without costs.**

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