

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

WEDNESDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE THE CHIEF JUSTICE HIMA KOHLI
AND
THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NOS: 28029, 28040, 28175, 28176, 28193, 28194, 28215,
28347, 28351, 28353, 28361, 28425 & 29864 OF 2013

WP NO: 28029 OF 2013

Between:

1. Sri Hukmi Chand., S/o. Sri Dungam Ram Parihar, Occupation: Business, R/o. Plot No. 48, Ragavendra Nagar, Opp: N.P.A. Shivrampally, Rajendra Nagar Mandal, R.R.District

...PETITIONER(S)

AND

1. The Greater Hyderabad Municipal Corporation,, Rep. by its Commissioner, having office at Tank Bund Road, Hyderabad
2. Asst. City Planner,, Rajendra Nagar, Circle 6, South Zone, 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 particularly in the nature of writ of mandamus declaring that the Notice issued by the respondents vide notice No. G-88/UC/ACP6/GHMC/2013, dated 24.09.2013, in respect of petitioner's property bearing No. 8-1-207/6/9/28, Plot No. 28, Corresponding to old No. 1614/1/Part, IN Sy.No.134/20, admn. 100 sq. yards, situated at Tata Nagar, Rajendra Nagar, R.R.District, is illegal, arbitrary, in violation of GHMC Act/Rules and in violation of principles of natural justice. Consequently, this Hon'ble Court may be pleased to direct the respondents not to demolish the petitioner's property bearing No. 8-1-207/6/9/28, Plot No. 28, Corresponding to old No. 1614/1/Part, IN Sy.No.134/20, admn. 100 sq. yards, situated at Tata Nagar, Rajendra Nagar, R.R.District, pursuant to demolition notice No. G-88/UC/ACP6/GHMC/2013, dated 24.09.2013

WPMP. NO: 34807 OF 2013

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 demolish the petitioner's property bearing No. 8-1-207/6/9/28, Plot No. 28, Corresponding to old No. 1614/1/Part, IN Sy.No.134/20, admn. 100 sq. yards, situated at Tata Nagar, Rajendra Nagar, R.R.District, pursuant to demolition notice No. G-88/UC/ACP6/GHMC/2013, dated 24.09.2013.

Counsel for the Petitioner: SRI. MOHAMMAD ADNAN

Counsel for the Respondents: SRI.NAGESH BHEEMAPAKA, SC FOR GHMC

WP NO: 28040 OF 2013

Between:

1. Shakeel Ahmed S/o Abdul Mahboob Pasha, Occu : Business R/o 18-7-306/36, Near Somnath Mandir, Hyderabad.

2. Mohd. Abdul Samad S/o Mohd. Abdul Saleem, Occu : Business R/o H. No. 22-6-974, Irani Galli, Hyderabad.

...PETITIONERS

AND

1. The Greater Hyderabad Municipal, Corporation, Rep. by its Commissioner, Having office at Tankbund Road, Hyderabad
2. The Asst. City Planner, Town Planning Section, Circle No. 6 Greater Hyderabad Municipal Corporation Rajendra Nagar, 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 declaring the action of the 2nd Respondent in issuing Notice No. G-114/UC/ACP6/GHMC/2013 dated 24-09-2013 under section 636 of HMC Act 1955, as illegal, arbitrary, in violation of principles of natural justice and in violation of provisions of HMC Act and set-aside the same, consequently, this Hon'ble Court may be pleased to direct the Respondents not to demolish the structures of Petitioner's property bearing Municipal No. 8-1-207/102, Plot No. 1323, admeasuring 200 Sq. Yards, situated at Tata Nagar, Mailardevpally Village, Rajendranagar Mandal and Municipality, Ranga Reddy District,

WPMP. NO: 34821 OF 2013

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 demolish the structures of the property of the Petitioners bearing Municipal No. 8-1-207/102, Plot No. 1323, admeasuring 200 Sq. Yards, situated at Tata Nagar, Mailardevpally Village, Rajendranagar Mandal and Municipality, Ranga Reddy District, pursuant to the Notice No. G-114/UC/ACP6/GHMC/2013 dated 24-09-2013 issued under section 636 of HMC Act 1955, pending disposal of the main writ petition

Counsel for the Petitioner: SRI. PAWAN KUMAR AGARWAL

Counsel for the Respondents: SRI. NAGESH BHEEMAPAKA, SC FOR GHMC

WP NO: 28175 OF 2013

Between:

Anil Kumar, S/o. Sri Durga Singh, Occ: Business, R/o. H. No. 8-2-112, T.N.G.O. colony, Mailardevpally village, Rajendranagar Municipality, R.R. District

...PETITIONER

AND

1. The Greater Hyderabad Municipal Corporation, rep. by its Commissioner Having office at Tank Bund Road, Hyderabad
2. The Asst. City Planner, Town Planning Section, Circle No. 6, Greater Hyderabad Municipal Corporation Rajendranagar, 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 declaring the action of the 2nd respondent in issuing Notice No. G-121/UC/ACP6/GHMC/2013 dated 24.9.2013 under section 636 of HMC Act 1955 as illegal, arbitrary, in violation of principles of natural justice and in violation of provisions of HMC Act and set aside the same, consequently, this Hon'ble Court

may be pleased to direct the respondents not to demolish the structures of petitioner property plot No.183/P(Old plot No.1598/P) Mailardevpally village, Rajendranagar Mandal, and Municipality, Ranga Reddy District.

WPMP. NO: 34971 OF 2013

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 demolish the structures of the property of the petitioner bearing Plot No.183/P(Old Plot No.1598/P) admeasuring 200 sq.yards sy.No.134/20 situated at Shastripuram./Tata Nagar, Mailardevpally village, Rajendranagar Mandal and Municipality, Ranga Reddy District pursuant to the Notice No.G-121/UC/ACP6/GHMC/2013 dated 24.9.2013 issued under section 636 of HMC Act 1955 pending disposal of the main writ petition

Counsel for the Petitioner: SRI. PAWAN KUMAR AGARWAL

Counsel for the Respondents: SRI. PASHAM KRISHNA REDDY, SC FOR GHMC

WP NO: 28176 OF 2013

Between:

Smt. Ranjana Prabhakar, W/o Sri Rajesh Aged about : 30 years, Occu : Business R/o 5-2-50/4/2, Pramavathipet, Rajendranagar Mandal, R.R. District.

...PETITIONER

AND

1. The Greater Hyderabad Municipal Corporation,, Rep. by its Commissioner. Having office at Tankbund Road, Hyderabad.
2. The Asst. City Planner,, Town Planning Section, Circle No.6 Greater Hyderabad Municipal Corporation Rajendra Nagar, 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 declaring the action of the 2nd Respondent in issuing Notice No. G-81/UC/ACP6/GHMC/2013 dated 24-09-2013 under section 636 of HMC Act 1955, as illegal, arbitrary, in violation of principles of natural justice and in violation of provisions of HMC Act and set-aside the same, consequently, this Hon'ble Court may be pleased to direct the Respondents not to demolish the structures of Petitioner's property bearing bearing Municipal No. 8-1-164/A/175. Plot No. 175/P, admeasuring 212 Sq. Yards, situated at Tata Nagar, Mailardevpally Village, Rajendranagar Mandal and Municipality, Ranga Reddy District

WPMP. NO: 34972 OF 2013

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 demolish the structures of the property of the Petitioner bearing Municipal No. 8-1-164207/A/175, Plot No. 175/P, admeasuring 212 Sq. Yards, situated at Tata Nagar, Mailardevpally Village, Rajendranagar Mandal and Municipality, Ranga Reddy District, pursuant to the Notice No. G-81/UC/ACP6/GHMC/2013 dated 24-09-2013 issued under section 636 of HMC Act 1955, pending disposal of the main writ petition

Counsel for the Petitioner: SRI. PAWAN KUMAR AGARWAL

Counsel for the Respondents: SRI. PASHAM KRISHNA REDDY, SC FOR GHMC

WP NO: 28193 OF 2013

Between:

Manisha Agarwal, W/o Sri Mukesh Agarwal, Aged about : 35 years, Occ : House-Hold, R/o H.No. 8-1-267/12/144, Mailardevpally Village, Rajendernagar, R.R. District.

...PETITIONER

AND

1. The Greater Hyderabad Municipal Corporation, Rep. by its, Commissioner, Having office at Tankbund Road, Hyderabad.
2. The Asst. City Planner, Town Planning Section,, Circle No. 6, Greater Hyderabad Municipal Corporation Rajendra Nagar, 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 declaring the action of the 2nd Respondent in issuing Notice No. G-80/1/ACP6/58/GHMC/2013 dated 24-09-2013 under section 636 of HMC Act 1955, as illegal, arbitrary, in violation of principles of natural justice and in violation of provisions of HMC Act and set-aside the same, consequently, this Hon'ble Court may be pleased to direct the Respondents not to demolish the structures of Petitioner's property H.No.8-1-207/12/144, admeasuring 212.51 Sq. Yards, Sy.No.166, situated at Shastripuram/Tata Nagar, Mailardevpally Village, Rajendranagar Mandal and Municipality, Ranga Reddy District

WPMP. NO: 34989 OF 2013

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 demolish the structures of the property of the petitioner bearing Pr. No. Pr. No. 8-1-207/12/144 admeasuring 212.51 Sq.Yards, Sy.No. 166, situated at Shastripuram/Tata Nagar, Mailardevpally Village, Rajendranagar Mandal and Municipality, Ranga Reddy District pursuant to the Notice No. G-80/1/APC6/58GHMC/2013 dated 24-9-2013 issued under Section 636 of HMC Act, 1955 pending disposal of the main Writ Petition

Counsel for the Petitioner: SRI. PAWAN KUMAR AGARWAL

Counsel for the Respondents: SRI. PASHAM KRISHNA REDDY, SC FOR GHMC

WP NO: 28194 OF 2013

Between:

M.A.Afroz Khan S/o M.A. Ahmed Khan,, Occ : Business, R/o H.No. 18-13-8/J/618, Jhangirabad, Hyderabad

...PETITIONER

AND

1. The Greater Hyderabad Municipal, Corporation, Rep. by its Commissioner, Having office at Tankbund Road, Hyderabad.
2. The Asst. City Planner,, Town Planning Section, Circle No. 6 Greater Hyderabad Municipal Corporation Rajendra Nagar, 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

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Mandamus declaring the action of the 2nd Respondent in issuing Notice No. G-97/UC/ACP6/GHMC/2013 dated 24-09-2013 under section 636 of HMC Act 1955, as illegal, arbitrary, in violation of principles of natural justice and in violation of provisions of HMC Act and set-aside the same, consequently, this Hon'ble Court may be pleased to direct the Respondents not to demolish the structures of Petitioner's property Pr. No. 8-1-207/152/P, Plot No. 1520/2 admeasuring 200 Sq. Yards, Sy No.134/20, situated at Shastripuram/Tata Nagar, Mailardevpally Village, Rajendranagar Mandal and Municipality, Ranga Reddy District,

WPMP. NO: 34990 OF 2013

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 demolish the structures of the property of the Petitioner bearing Pr. No. 8-1-207/152/P, Plot No. 1520/2 admeasuring 200 Sq. Yards, Sy No.134/20, situated at Shastripuram/Tata Nagar, Mailardevpally Village, Rajendranagar Mandal and Municipality, Ranga Reddy District, pursuant to the Notice No. G-97/UC/ACP6/GHMC/2013 dated 24-09-2013 issued under section 636 of HMC Act 1955, pending disposal of the main writ petition

Counsel for the Petitioner: SRI. PAWAN KUMAR AGARWAL

Counsel for the Respondents: SRI. PASHAM KRISHNA REDDY, SC FOR GHMC

WP NO: 28215 OF 2013

Between:

Md. Abdur Raof S/o. Md. Badiuddin., Aged about 79 Years, Occ: Pensioner,
R/o. H.No. 23-2-330, Moghalpura, Hyderabad.

...PETITIONER

AND

1. The Greater Hyderabad Municipal Corporation, Rep. by its, Commissioner, Having Office at Tankbund Road, Hyderabad.
2. The Asst. City Planner., Town Planning Section, Circle No. 6, Greater Hyderabad Municipal Corporation, Rajendra Nagar, 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 declaring the action of the 2nd respondent in issuing Notice No.G-111/ACP6/58/GHMC/2013, dated 24-09-2013 Under Section 636 of HMC Act to demolish the constructions on petitioner's property on New Plot Nos. 74, 75, 79 and 80 (Old Plot N. 1457/1, 1432 and 1457/2) in Sy. No. 134/20, total admeasuring 1000 Sq. Yards, Situated at Tata Nagar, Mailardevpally Village, Rajendranagar Mandal and Municipality, Ranga Reddy District, A.P., as illegal, arbitrary, in violation of principles of natural justice and in violation of provisions of HMC Act and set-aside the same, consequently, this Hon'ble court may be pleased to direct the respondents not to demolish the structures of petitioner's property constructed on New Plot Nos. 74, 75, 79 and 80 (Old Plot Nos. 1457/1, 1432 and 1457/2) in Sy. No. 134/20, total admeasuring 1000 Sq. Yards, Situated at Tata Nagar, Mailardevpally Village, Rajendranagar Mandal and Municipality, Ranga Reddy District, A.P., pursuant to Notice No.G111/ACP6/ 58/GHMC/2013, dated 24-09-2013.

WPMP. NO: 35014 OF 2013

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 demolish the structures of petitioner's property constructed on

New Plot Nos. 74, 75, 79 and 80 (Old Plot Nos. 1457/1, 1432 and 1457/2) in Sy. No. 134/20, total admeasuring 1000 Sq. Yards, Situated at Tata Nagar, Mailardevpally Village, Rajendranagar Mandal and Municipality, Ranga Reddy District, A.P., pursuant to Notice No.G-111/ACP6/58/GHMC/2013, dated 24-09-2013, pending disposal of the main writ petition.

Counsel for the Petitioner: SRI. MOHD ZIA-UL-HAQ

Counsel for the Respondents: SRI. PASHAM KRISHNA REDDY, SC FOR GHMC

WP NO: 28347 OF 2013

Between:

Sri Pavan Kumar S/o Sri Mold Prasad,, Aged about : 37 years, Occ : Business,
R/o Pr. No. 6-5-87, Babul Reddy Nagar, Kattedan, Hyderabad.

...PETITIONER

AND

1. The Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Having office at Tankbund Road, Hyderabad.
2. The Asst. City Planner, Town Planning Section, Circle No. 6 Greater Hyderabad Municipal Corporation Rajendra Nagar, 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 declaring the action of the 2nd Respondent in issuing Notice No. G-115/UC/ACP6/GHMC/2013 dated 24-09-2013 under section 636 of HMC Act 1955, as illegal, arbitrary, in violation of principles of natural justice and in violation of provisions of HMC Act and set-aside the same, consequently, this Hon'ble Court may be pleased to direct the Respondents not to demolish the structures of Petitioner's property Pr. No. 8-1207/110/A, Plot No.1272" admeasuring 300 Sq. Yards, Sy No.134/20 situated at Shastripuram/Tata Nagar, Mailardevpally Village, Rajendranagar Mandal and Municipality, Ranga Reddy District.

WPMP. NO: 35195 OF 2013

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 demolish the structures of the property of the Petitioner bearing Pr. No. 81-207/110/A, Plot No.1272" admeasuring 300 Sq. Yards, Sy No.134/20 situated at Shastripuram/Tata Nagar, Mailardevpally Village, Rajendranagar Mandal and Municipality, Ranga Reddy District, pursuant to the Notice No. G-115/UC/ACP6//GHMC/2013 dated 24-09-2013 issued under section 636 of HMC Act 1955, pending disposal of the main writ petition.

Counsel for the Petitioner: SRI. PAWAN KUMAR AGARWAL

Counsel for the Respondents: SRI. PASHAM KRISHNA REDDY, SC FOR

WP NO: 28351 OF 2013

Between:

Smt. Sharada Devi, W/o Sri Mohanlal Agarwal, Aged about : 55 years, Occ : House-Hold, R/o H.No. 21-1-274, Rikabgunj, Hyderabad.

...PETITIONER

AND

1. The Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Having office at Tankbund Road, Hyderabad.
2. The Asst. City Planner,, Town Planning Section, Circle No. 6 Greater Hyderabad Municipal Corporation Rajendra Nagar, 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 declaring the action of the 2nd Respondent in issuing Notice No. G-80//ACP6/58/GHMC/2013 dated 24-09-2013 under section 636 of HMC Act 1955, as illegal, arbitrary, in violation of principles of natural justice and in violation of provisions of HMC Act and set-aside the same, consequently, this Hon'ble Court may be pleased to direct the Respondents not to demolish the structures of Petitioner's property Plot No.144 & 147/P in Pr. No.8-1-207/12/144, admeasuring 212 Sq. Yards, Sy No.166, situated at Tata Nagar, Mailardevpally Village, Rajendranagar Mandal and Municipality, Ranga Reddy District

WPMP. NO: 35199 OF 2013

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 demolish the structures of the property of the Petitioner bearing Plot No.144 & 147/P in Pr. No.8-1-207/12/144, admeasuring 212 Sq. Yards, Sy No.166, situated at Tata Nagar, Mailardevpally Village, Rajendranagar Mandal and Municipality, Ranga Reddy District, pursuant to the Notice No. G-80//ACP6/58/GHMC/2013 dated 24-09-2013 issued under section 636 of HMC Act 1955, pending disposal of the main writ petition

Counsel for the Petitioner:SRI. PAWAN KUMAR AGARWAL

Counsel for the Respondents: SRI. PASHAM KRISHNA REDDY, SC FOR GHMC

WP NO: 28353 OF 2013

Between:

Sri P. Ganesh, S/o P. Kashinath, Aged about : 33 years, Occ : Business, R/o H. No. 8-1-207/15/A, Mailardevpally, R.R.District.

...PETITIONER

AND

1. The Greater Hyderabad Municipal Corporation,, Rep. by its Commissioner, Having office at Tankbund Road, Hyderabad.
2. The Asst. City Planner,, Town Planning Section, Circle No. 6 Greater Hyderabad Municipal Corporation Rajendra Nagar, 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 declaring the action of the 2nd Respondent in issuing Notice No. G-95/ACP6/58/GHMC/2013 dated 24-09-2013 under section 636 of HMC Act 1955, as illegal, arbitrary, in violation of principles of natural justice and in violation of provisions of HMC Act and set-aside the same, consequently, this Hon'ble Court may be pleased to direct the Respondents not to demolish the structures of Petitioner's property Plot No.60/P(Old Plot No.1616/A/P) Pr. No. 8-1-207/15/A admeasuring 100 Sq. Yards, Sy No.134/20, situated at Shastripuram/Tata Nagar, Mailardevpally Village, Rajendranagar Mandal and Municipality, Ranga Reddy District.

WPMP. NO: 35202 OF 2013

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 demolish the structures of the property of the Petitioner bearing Plot No.60/P(Old Plot No.1616/A/P) Pr. No. 8-1-207/15/A admeasuring 100 Sq. Yards, Sy No.134/20, situated at Shastripuram/Tata Nagar, Mailardevpally Village, Rajendranagar Mandal and Municipality, Ranga Reddy District, pursuant to the Notice No. G-95/ACP6/58/GHMC/2013 dated 24-09-2013 issued under section 636 of HMC Act 1955, pending disposal of the main writ petition

Counsel for the Petitioner: SRI. PAWAN KUMAR AGARWAL

Counsel for the Respondents: SRI. PASHAM KRISHNA REDDY, SC FOR GHMC

WP NO: 28361 OF 2013

Between:

T. Ashwini Kumar, S/o Sri T.Venkatesham Aged about : 46 years, Occ : Business, R/o H.No. 4-6-111, Moti Market, Esamia Bazar, Hyderabad.

...PETITIONER

AND

1. The Greater Hyderabad Municipal, Corporation, Rep. by its Commissioner, Having office at Tankbund Road, Hyderabad.
2. The Asst. City Planner, Town Planning Section, Circle No. 6 Greater Hyderabad Municipal Corporation Rajendra Nagar, 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 declaring the action of the 2nd Respondent in issuing Notice No. G-122/ACP6/58/GHMC/2013 dated 06.09.2013 under section 636 of HMC Act 1955, as illegal, arbitrary, in violation of principles of natural justice and in violation of provisions of HMC Act and set-aside the same, consequently, this Hon'ble Court may be pleased to direct the Respondents not to demolish the structures of Petitioner's property bearing Plot No. 184 & 183/P (Old Plot No. 1661/A) admeasuring 375 Sq. Yards, Sy No. 134/20, situated at Tata Nagar, Mailardevpally Village, Rajendranagar Mandal and Municipality, Ranga Reddy District.

WPMP. NO: 35211 OF 2013

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 demolish the structures of the property of the Petitioner bearing Plot No. 184 & 183/P (Old Plot No. 1661/A) admeasuring 375 Sq. Yards, Sy No. 134/20, situated at Tata Nagar, Mailardevpally Village, Rajendranagar Mandal and Municipality, Ranga Reddy District, pursuant to the Notice No. G-

122/ACP6/58/GHMC/2013 dated 6.9.2013 issued under section 636 of HMC Act 1955, pending disposal of the main writ petition.

Counsel for the Petitioner: SRI. PAWAN KUMAR AGARWAL

Counsel for the Respondents: SRI. PASHAM KRISHNA REDDY, SC FOR GHMC

WP NO: 28425 OF 2013

Between:

Syed Khaliduddin, S/o Late Syed Saleemuddin, age 40 years, Occ: Business,
R/o. H. No. 20-4-719/1, Shahgunj, Hyderabad.

...PETITIONER

AND

1. Government of Andhra Pradesh, Rep. by its Principal Secretary, Municipal Administration & Urban Development, Secretariat, Hyderabad.
2. Greater Hyderabad Municipal Corporation, rep. by its Commissioner & Special Officer, Tank Bund, Hyderabad.
3. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Rajendranagar, Circle No. 6, South Zone, Hyderabad.
4. The Assistant City Planner, O/O Deputy Commissioner, Greater Hyderabad Municipal Corporation, Circle No. 6, South Zone, 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 an order, writ or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent No. 4 in issuing notice No. G57/ACP6/58/GHMC/2013, dated 24.09.2103 under Section 636 of Greater Hyderabad Municipal Corporation Act, 1955, directing removal of shed with compound wall, gate and room in House No. 8-1-207/66/2 in Plot Nos.1585/1 & 2, 1586/1 & 2, 1587/2, 1588/1 & 2, 1590/1, 1592/2, 1523/1, 1524/1, 1533/1 & 2, 1520/1, 1518/1, 1542, 1543, 1476/2 & 1, 1498/2 & 1, 1497/2 & 1 admeasuring 1000 square yards in Sy. No. 134/20 situated at Sastripuram/Tatanagar, Mailardevpally Village, Ranga Reddy District, as illegal, arbitrary, against the provisions of Greater Hyderabad Municipal Corporation Act, 1955, violation of principles of natural justice and unconstitutional and consequently direct the respondents not to interfere with the peaceful possession of the petitioner in House No.8-1-207/66/2 in Plot Nos.1585/1 & 2, 1586/1 & 2, 1587/2, 1588/1 & 2, 1590/1, 1592/2, 1523/1, 1524/1, 1533/1 & 2, 1520/1, 1518/1, 1542, 1543, 1476/2 & 1, 1498/2 & 1, 1497/2 & 1 admeasuring 1000 square yards in Sy.No.134/20 situated at Sastripuram/Tatanagar, Mailardevpally Village, Ranga Reddy District

WPMP. NO: 35286 OF 2013

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 stay the operation of the notice No. G-57/ACP6/58/ GHMC/2013, dated 24.09.2103 issued by the 4th Respondent pending disposal of the main writ petition

Counsel for the Petitioner: SRI. SRINIVASA RAO BODDULURI

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

Counsel for the Respondent Nos. 2 to 4: SRI. NAGESH BHEEMAPAKA, SC FOR GHMC

WP NO: 29864 OF 2013

Between:

1. Mr. Zulfikar Mamd Vadasariya S/o Mamd Bhai Vadasariya,, Occ: Business, R/o House No.8-1-207/1263, Mailardevpally, Hyderabad
2. Mrs. Asmita Zulfikar Vadasariya W/o Mr. Zulfikar Mamd, Vadasariya Occ: Household, R/o House No.8-1-207/1263, Mailardevpally, Hyderabad
3. Mr. Ramzan Mamad Vadasariya S/o Mamd Bhai Vadasariya,, Occ: Business, R/o House No.8-1-207/1263, Mailardevpally, Hyderabad
4. Mrs. Dilsad Ramzan Vadasariya W/o Mr. Ramzan Mamad, Vadasariya Occ: Household, R/o House No.8-1-207/1263, Mailardevpally, Hyderabad

...PETITIONERS

AND

1. The Greater Hyderabad Municipal Corporation, Rep by its Commissioner, Tankbund Road, Hyderabad.
2. Assistant City Planner, Circle No.6, GHMC, Rajendra Nagar, 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 any writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in not considering the petitioners application under section 455-A for regularization of premises bearing No. No.8-1-207/1263, situated at Mailardevpally, Hyderabad which is illegal, arbitrary and contrary to law and also in violation of Article 14 and 300-A of the Constitution of India and set aside notice under section 636 of HMC Act dated 14-06-2013 issued by the respondent and Consequently direct the respondents to regularize the petitioners premises bearing No. No.8-1-207/1263, admeasuring 803.33 Sq. Yards, situated at Mailardevpally, Hyderabad

WPMP. NO: 37075 OF 2013

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 petitioner's property including demolition over the premises bearing No. 8-1-207/1263, situated at Mailardevpally, Hyderabad, pending disposal of the writ petition.

Counsel for the Petitioners: SRI. M A K MUKHEED

Counsel for the Respondents: SRI. PASHAM KRISHNA REDDY, SC FOR GHMC

The Court made the following:

Items No.14-20, 22-26, 28

THE HON'BLE THE CHIEF JUSTICE HIMA KOHLI
AND
THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

W.P.Nos.28029, 28040, 28175, 28176, 28193, 28194, 28215,
28347, 28351, 28353, 28361, 28425 & 29864 OF 2013

COMMON ORDER: *(Per the Hon'ble the Chief Justice Hima Kohli)*

1. In the present batch of writ petitions, the grievance raised by the petitioners against the respondent/GHMC is that though they have applied for regularization of buildings situated in Tatanagar and Rajendranagar of Ranga Reddy District, the respondents have issued notices proposing to demolish their properties without deciding the said applications.

2. Mr. Pasham Krishna Reddy, learned Standing Counsel for the respondent/GHMC states that the Corporation shall not take any coercive steps pursuant to the demolition notices issued to the petitioners herein till their building regularization applications are decided one way or the other. However, the petitioners be restrained from raising any further construction on the subject properties.

3. It is deemed appropriate to close the present petitions while binding the respondent/GHMC to the statement recorded hereinabove to the effect that till the BRS applications filed by the petitioners and pending with the respondent/GHMC are disposed of, no steps shall be taken to demolish the buildings erected on the subject premises, in terms of the impugned demolition notices. Needless to state that if the respondent/GHMC rejects the building regularization applications

filed by any of the petitioners, they shall be entitled to seek appropriate legal recourse. To ensure that the petitioners do not misuse the concession given by the respondent/GHMC, GHMC shall videograph the constructions existing on the premises of the petitioners. The said process shall be completed within two weeks and made a part of the record. Further, the petitioners in each case shall file their affidavits within one week undertaking *inter alia* that they shall not raise any further construction on the subject premises till their BRS applications are decided by the respondent/GHMC. Copies of the affidavits shall be duly served on the learned Standing Counsel for the respondent/GHMC.

4. With these orders, the present petitions are disposed of along with the pending applications, if any.

SD/-K.AMMAJI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Commissioner, Greater Hyderabad Municipal Corporation, office at Tank Bund Road, Hyderabad
2. Asst. City Planner, Rajendra Nagar, Circle 6, South Zone, Hyderabad.
5. The Principal Secretary, Municipal Administration & Urban Development, State of Telangana, Secretariat, Hyderabad.
6. The Commissioner & Special Officer, Greater Hyderabad Municipal Corporation, Tank Bund, Hyderabad.
7. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Rajendranagar, Circle No. 6, South Zone, Hyderabad.
8. The Assistant City Planner, O/o Deputy Commissioner, Greater Hyderabad Municipal Corporation, Circle No. 6, South Zone, Hyderabad.
3. One CC to Sri. Mohammad Adnan, Advocate [OPUC]
4. One CC to Sri. Nagesh Bheemapaka, SC for GHMC [OPUC]
5. One CC to Sri. Pawan Kumar Agarwal, Advocate (OPUC)
6. One CC to Sri. Pasham Krishna Reddy, SC for GHMC (OPUC)
7. One CC to Sri. Mohd. Zai-UL-Haq, Advocate (OPUC)
8. One CC to Sri. SRinivas Rao Bodduluri, Advocate (OPUC)
9. One CC to Sri. M.A.K. Mukheed, Advocate (OPUC)
10. Two CD Copies.
11. One Spare Copy

PM
anv

HIGH COURT

DATED:30/06/2021



ORDER

WP Nos: 28029, 28040, 28175, 28176, 28193, 28194, 28215,
28347, 28351, 28353, 28361, 28425 & 29864 OF 2013

Disposing of the WP's
Without costs.

(10) VLV.
15/7/21