

[3168]

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

FRIDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 2757 OF 2025

Between:

Kandakatla Padma Reddy, S/o. Late K. Ram Reddy, Aged 65 years,
Occupation. Business, R/o. H.No.11-5/ 1, Ghatkesar (V), Ghatkesar Mandal,
Ghatkesar Municipality Medchal-Malkajgiri District.

...PETITIONER

AND

1. The State of Telangana, Rep. by Principal Secretary, Municipal Administration, Secretariat, Hyderabad.
2. The Municipal Commissioner Ghatkesar Municipality, Ghatkesar Village and Mandal, Medchal-Malkajgiri District.
3. Dr. Boga Rajini, W/o Boga Venkateshwarlu, Aged about major, Occ. Doctor. Resident of H.No. 41-A, Sunshine Park, Near Jagadamba Theatre, Ghatkesar, Medchal-Malkajgiri 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 of Mandamus or any other appropriate writ, order, or direction declaring the inaction of Respondent No. 2 failing to take action pursuant to the Show Cause Notice dated 15/12/2024 against Respondent No. 3 as arbitrary, illegal, and unsustainable in the eyes of law, and further direct Respondent No. 2 to take immediate consequential action in accordance with the provisions of the Telangana Municipalities Act, 2019.

IA NO: 1 OF 2025

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 Respondent No. 2 to take immediate action against the illegal constructions carried out by Respondent No. 3 on Plot No. 11, situated in Sy.No. 310 and 400,

within the jurisdiction of Ghatkesar Municipality, pending disposal of the above writ petition.

Counsel for the Petitioner: SRI K.RAJASHEKAR

Counsel for the Respondent No.1: GP FOR MCPL ADMN & URBAN DEV

**Counsel for the Respondent No.2: SRI PUTTA KRISHNA REDDY, SC FOR
MPCL**

Counsel for the Respondent No.3: --

The Court made the following: ORDER

HON'BLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.2757 of 2025

ORDER:

Heard learned counsel appearing for the petitioner and Sri Putta Krishna Reddy, learned Standing Counsel appearing for respondent No.2. Perused the record.

2. In view of the nature of relief sought by the petitioner, this Writ Petition is disposed of at the admission stage dispensing with notice to respondent No.3.
3. Petitioner is resident of Ghatkesar village, within respondent No.2 - Municipality. Respondent No.3 is his neighbor. She is making construction in deviation to the building permit order. The same is un-authorized construction. Therefore, he has submitted a representation dated 28.12.2024 to respondent No.3 with a request to take action against respondent No.2. Despite receiving and acknowledging the said representation,

respondent No.2 did not act upon the same. Aggrieved by the said inaction of respondent No.2, petitioner filed the present writ petition.

4. Whereas, Sri Putta Krishna Reddy, learned Standing Counsel appearing for respondent No.2, on instructions, would submit that respondent No.3 has obtained building permit order for construction of Stilt for parking + 2 Upper floors. She is making construction for pent house. Therefore, respondent No.2 has already issued a Show Cause Notice dated 15.12.2024 to respondent No.3 and she has submitted explanation on 30.12.2024 itself. Respondent No.2 will consider the same and take action, if any, against respondent No.3, strictly in accordance with the procedure laid down under the Telangana Municipalities Act, 2019, by putting the petitioner and respondent No.3 on notice and affording them an opportunity of hearing.

5. In the light of the aforesaid submission, this Writ Petition is disposed of directing respondent No.2 to consider the representation dated 10.01.2025 submitted by the petitioner and also the explanation dated 30.12.2024 submitted by respondent No.3 to the Show Cause Notice, dated 15.12.2024 and take action, if any, against respondent No.3, strictly in accordance with the procedure laid down under the Telangana Municipalities Act, 2019, by putting the petitioner and respondent No.3 on notice and affording them an opportunity of hearing. He shall complete the said exercise within a period of four (04) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

As a sequel, the miscellaneous petitions, if any, pending in the Writ Petition shall stand closed.

SD/- P. PADMANABHA REDDY
ASSISTANT REGISTRAR


//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Municipal Administration, Secretariat, Hyderabad, State of Telangana.
2. The Municipal Commissioner Ghatkesar Municipality, Ghatkesar Village and Mandal, Medchal-Malkajgiri District.
3. One CC to SRI K.RAJASHEKAR, Advocate [OPUC]
4. Two CCs to GP FOR MCPL ADMN & URBAN DEV, High Court for the State of Telangana, at Hyderabad. [OUT]
5. One CC to SRI PUTTA KRISHNA REDDY, SC FOR MPCL [OPUC]
6. Two CD Copies

PSK.

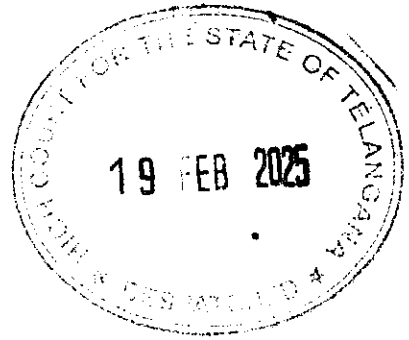
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HIGH COURT

DATED:31/01/2025

ORDER

WP.No.2757 of 2025



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

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