

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

WEDNESDAY, THE TWENTY THIRD DAY OF MARCH
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO: 13293 OF 2022

Between:

1. Chilukuri Janardhan Reddy, S/o Janga Reddy, Aged about 69 Years, Occ- Retd. BSNL Employee, R/o H.No.11-70, Pragathi Nagar, P and T Colony, Dilshukhnagar, Hyderabad
2. Chilukuri Venkat Ram Reddy, S/o Ch. Janardhan Reddy Aged about 46 Years, Occ- Business, R/o Plot No.48, Sri Ram Nagar Colony, BN Reddy Nagar, L.B. Nagar, Bahadurguda, Ranga Reddy District.
3. Chilukuri Srinivas Reddy, S/o Ch. Janardhan Reddy, Aged about 33 Years, Occ- Employee, Rep by his GPA Holder Chilukuri Janardhan Reddy S/o Janga Reddy, Aged about 69 Years, Occ- Retd. BSNL Employee, R/o H.No.11-70, Pragathi Nagar, P and T Colony, Dilshukhnagar, Hyderabad.
4. Chilukuri Damodhar Reddy, S/o Ch. Janardhan Reddy, Aged about 39 Years, Occ- Employee, R/o H.No.11-70, Pragathi Nagar, P and T Colony, Dilshukhnagar, Hyderabad.
5. Chilukuri Madhavi @ G.Latha, D/o Ch. Janardhan Reddy, Aged about 38 years, Occ- Employee, R/o H.No.7-168/9, Main Road, Ghatkesar, Ranga Reddy District.

...PETITIONER(S)

AND

1. The State of Telangana, Rep by its Principal Secretary, Municipal Administration BRKR Bhavan, Secretariat, Hyderabad
2. The Badangpet Municipal Corporation, Rep by its Commissioner, Badangpet, 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 an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus Declaring the action of the respondents more particularly respondent No.2 in interfering in to the petitioners property including demolition on the pretext of road widening without following the due procedure contemplated under law in respect of petitioners House on Plot Nos.7 Part and 8

North Part, having plinth area of 100 Sq.feet, with Acc Sheets, Part of House No.1-107/4 cart, on Plot Nos. 2 West part, 7 Part and 8 South Part(West Side), Part of House 1-107/4 Part on Plot Nos. 1 West Part, 2 East Part and 8 South Part (Middle side) Part of House 1-107/4 Part on Plot Nos. 1 East Part, 2 East Part and 8 South Part (East side) each admeasuring 189.8 Sq.yards, having Plinth area of 1200 Sq.Feet with R.C.C. Roof, and House on Plot No.7 part admeasuring 189.8 Sq.yards having plinth area of 100 Sq.feet, with Acc Sheets and House bearing No.1-107/3 on Plot No.3, admeasuring 193 Sq.Yards, having Ground Floor plinth area 855 Sq.Feets, and First Floor plinth area 855 Sq.feets, total plinth area 1710 Sq.Feets with R.C.C. Roof, in Sy.No.166, situated at Badangpet Village, Balapur Mandal (the then Saroornagar Mandal), Under Badangpet Municipal Corporation (the then Badangpet Grampanchayath), Ranga Reddy District, as illegal, arbitrary and in violation of Articles 14, 21 and 300-A of Constitution of India and in violation of principles of natural justice and consequently direct the respondents more particularly respondent no.2 not to interfere with the peaceful possession and enjoyment over petitioners property in respect of House on Plot Nos.7 Part and 8 North Part, having plinth area of 100 Sq.feet, with Acc Sheets, Part of House No.1-107/4 part, on Plot Nos. 2 West part, 7 Part and 8 South Part(West Side), Part of House 1-107/4 Part on Plot Nos. 1 West Part, 2 East Part and 8 South Part (Middle side) Part of House 1-107/4 Part on Plot Nos. 1 East Part, 2 East Part and 8 South Part (East side) each admeasuring 189.8 Sq.yards, having Plinth area of 1200 Sq.Feet with R.C.C. Roof, and House on Plot No.7 part admeasuring 189.8 Sq.yards having plinth area of 100 Sq.feet, with Acc Sheets and House bearing No.1-107/3 on Plot No.3, admeasuring 193 Sq.Yards, having Ground Floor plinth area 855 Sq.Feets, and First Floor plinth area 855 Sq.feets, total plinth area 1710 Sq.Feets with R.C.C. Roof, in Sy.No.166, situated at Badangpet Village, Balapur Mandal (the then Saroornagar Mandal), Under Badangpet Municipal Corporation (the then Badangpet Grampanchayath), Ranga Reddy District, including direction to stop the demolition process over the petitioners property.

IA NO: 1 OF 2022

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 more particularly respondent no.2 not to interfere with peaceful possession and enjoyment over petitioner's property i.e., in respect of petitioners House on Plot Nos.7 Part and 8 North Part, having plinth area of 100 Sq.feet, with Acc Sheets, Part of House No.1-107/4 part, on Plot Nos. 2 West part, 7 Part and 8 South Part(West Side), Part of House 1-107/4 Part on Plot Nos. 1 West Part, 2 East Part and 8 South Part (Middle side) Part of House 1-107/4 Part on Plot Nos. 1 East Part, 2 East Part and 8 South Part (East side) each admeasuring 189.8 Sq.yards, having Plinth area of 1200 Sq.Feet with R.C.C. Roof, and House on Plot No.7 part admeasuring 189.8 Sq.yards having plinth area of 100 Sq.feet, with Acc Sheets and House bearing No.1-107/3 on Plot No.3, admeasuring 193 Sq.Yards, having Ground Floor plinth area 855 Sq.Feet, and First Floor plinth area 855 Sq.feet, total plinth area 1710 Sq.Feet with R.C.C. Roof, in Sy.No.166, situated at Badangpet Village, Balapur Mandal (the then Saroornagar Mandal), Under Badangpet Municipal Corporation (the then Badangpet Grampanchayath), Ranga Reddy District, including direction to stop the demolition process over the petitioners property pending disposal of the above writ petition.

Counsel for the Petitioner(s): SRI KATIKA RAVINDER REDDY

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

**Counsel for the Respondent No. 2: SRI N. PRAVEEN KUMAR,
SC FOR MUNICIPALITIES**

The Court made the following: ORDER

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION No. 13293 of 2022

ORDER:

This Writ Petition is filed seeking a *mandamus* to declare the action of the respondents more particularly the 2nd respondent in interfering with the petitioners' property including demolition on the pretext of road widening without following due procedure contemplated under law in respect of the petitioners' house on plot Nos. 7 Part & 8 North Part, having plinth area of 100 square feet with ACC Sheets, part of House No. 1-107/4 Part, on plot No.2 West Part, 7 Part & 8 Sought Part (West side), Part of House 1-107/4 part on Plot Nos. 1 West Part, 2 East Part & 8 South Part (middle side) part of House 1-107/4 part on Plot Nos.1 East Part, 2 East Part & 8 South Part (East side) each admeasuring 189/8 square yards, having plinth area of 1200 square feet with R.C.C. Roof & house on Plot No. 7 Part admeasuring 189.8 square yards having plinth area of 100 square feet with ACC sheets & house bearing No. 1-107/3 on Plot No.3 admeasuring 1923 square yards having ground floor plinth area 855 square feet and first floor plinth area 855 square feet, total plinth area 1710 square feet with RCC Roof in

respondents not to interfere with the petitioners' property without following due process of law. There shall be no order as to costs.

5. The miscellaneous Applications, if any shall stand closed.

SD/-K.AMMAJI
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The Principal Secretary, Municipal Administration State of Telangana, BRKR Bhavan, Secretariat, Hyderabad
2. The Commissioner, Badangpet Municipal Corporation, Badangpet, Ranga Reddy District.
3. One CC to SRI KATIKA RAVINDER REDDY Advocate [OPUC]
4. One CC to SRI N. PRAVEEN KUMAR, SC FOR MUNICIPALITIES [OPUC]
5. Two CCs to GP FOR MCPL ADMN URBAN DEV, High Court for the State of Telangana at Hyderabad. [OUT]
6. Two CD Copies.
7. One spare copy.

NPJ

MMA

[Handwritten signature]

HIGH COURT

DATED:23/03/2022

ORDER

WP.No.13293 of 2022



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.**

9
18/4/22
HVK