

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

THURSDAY, THE TWENTY SECOND DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

WRIT PETITION NO: 22006 OF 2010

Between:

Javeed Ahmed Khan, S/o Mohd. Afzal Khan Business R/o H.No. 4-1-9,
Ramkoti, Hyderabad.

...PETITIONER

AND

1. The District Collector, Hyderabad District, at Hyderabad.
2. The Deputy Director, Survey & Land Records, Hyderabad District
3. The Revenue Divisional Officer, Hyderabad District, at Hyderabad.
4. Chinboina Pochaiah, S/o late Komaraiah, age not known to the petitioner, major
5. Chinboina Hanumanthu, S/o late Komaraiah, age not known to the petitioner, major
6. Eswaramma, W/o Laxmaiah, age not known to the petitioner, major
7. Chinboina Mallash, S/o late Komaraiah, age not known to the petitioner, major
8. Veeramani, W/o late Yadagiri, age not known to the petitioner, major
9. Bhimaiah, S/o Manaiah, age not known to the petitioner, major
10. Chinboina Krishna, S/o Komaraiah, age not known to the petitioner, major
11. Chinboina Rajaiah, S/o Komaraiah, age not known to the petitioner, major
(Respondent Nos.4 to 11 are H.No.1-8-725/A/2, Nallakunta, Hyderabad.)
12. Balaji Bhagyanagar Co-operative Housing Society Ltd, Registered under provisions of AP Cooperative Society Act, (Regd. No.TAB-330) represented by its Secretary Sri K. Raghunath Rao, S/o. Kanta Rao, age 58 years, R/o. H.No.1-8-725/A/1 Balaji Bhagyanagar Apartment, Nallkunta, Bagh Lingampally, Hyderabad.

(Respondent No.12 is impleaded as per C.O. dated. 21/04/2014 in WPMP No.39850/2013)

...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 declaring that the action of the 1st respondent contained in file No.NI/564/2010,dt.9-8-2010 cancelling the no objection Certificate that was issued to the petitioner vide office Memo.No.B5/382/2004, dt 4-6-2004 is arbitrary and illegal and consequently set aside the impugned order of the 1st respondent dated 9-8-2010 and direct the

respondents not to interfere with the possession and enjoyment of the petitioner over the subject premises No.1-8-725/A/2 Old Nallakunta, Hyderabad.

I.A. NO: 1 OF 2010(WPMP. NO: 28018 OF 2010)

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 suspend the operation and effect of the order of the 1st respondent in proceedings No.N1/564/2010 dated 09-08-2010, pending disposal of the WP

Counsel for the Petitioner: M/s. BHARADWAJ ASSOCIATES

Counsel for the Respondent No.1 to 3: GP FOR REVENUE

Counsel for the Respondent No.4: SRI MD. SARSHAR AHMED

Counsel for the Respondent No.5 to 11: SRI V. RAMESH REDDY

**Counsel for the Respondent No.12: Ms. T.S.R. PRANEETHA REPRESENTING
FOR SRI V. RAVINDER RAO**

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

WRIT PETITION No.22006 of 2010

ORDER: *(Per the Hon'ble the Chief Justice Alok Aradhe)*

None for the petitioner.

Mr. Muralidhar Reddy Katram, learned Government Pleader for Revenue Department for respondent Nos.1, 2 and 3.

Ms. T.S.R.Praneetha, learned counsel representing Mr. V.Ravinder Rao, learned counsel for respondent No.12.

2. In this writ petition, the petitioner has prayed for the following relief:

“For the reasons stated in the accompanying affidavit, the petitioner herein prays that this Honourable Court may be pleased to issue a writ of Mandamus or any other appropriate writ declaring that the action of the 1st respondent contained in file No.N1/564/2010, dated 9-8-2010, cancelling the No Objection Certificate that was issued to the

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petitioner vide office Memo No.B5/382/2004, dated 4-6-2004, is arbitrary and illegal and consequently, set aside the impugned order of the 1st respondent dated 9-8-2010 and direct the respondents not to interfere with the possession and enjoyment of the petitioner over the subject premises No.1-8-725/A/2, Old Nallakunta, Hyderabad, and grant such other relief as it deems fit in the circumstances of the case."

3. Thus, from perusal of the aforesaid prayer, it is evident that the validity of the order dated 09.08.2010 passed by respondent No.1 cancelling the No Objection Certificate that was issued to the petitioner on 04.06.2004 was under challenge in the writ petition.

4. A Bench of this Court had granted an ad interim order on 06.09.2010. The aforesaid order has remained in force till today. The issue with regard to validity of the order dated 09.08.2010 passed by respondent No.1 on account of efflux of time has been rendered academic. It is therefore not necessary for us to examine the same.

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5. The Writ Petition is therefore dismissed as infructuous.

Miscellaneous petitions, pending if any, shall stand closed. There shall be no order as to costs.

SD/- P. CH. NAGABHUSHANAPPA
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. One CC to M/s. BHARADWAJ ASSOCIATES, Advocate [OPUC]
2. Two CCs to GP FOR REVENUE, High Court for the State of Telangana.
3. One CC to SRI V. RAMESH REDDY, Advocate [OPUC]
4. One CC to SRI V. RAVINDER RAO, Advocate [OPUC]
5. One CC to SRI MD. SARSHAR AHMED, Advocate [OPUC]
6. Two CD Copies

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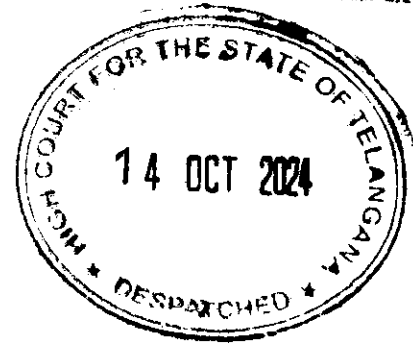
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HIGH COURT

DATED:22/08/2024

ORDER

WP.No.22006 of 2010



**DISMISSING THE WRIT PETITION
AS INFRUCTUOUS
WITHOUT COSTS**

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27/10/24