

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

MONDAY, THE SECOND DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

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

WRIT APPEAL NO: 1349 OF 2024

Writ Appeal under clause 15 of the Letters Patent preferred against the Order dated 24/04/2024 passed in W.P.No.10759 of 2024 on the file of the High Court.

Between:

1. M/s Vanita Developers, Rep., Off at Shop No. 11 to 14, 5th Floor in SD Mall. hearing premises D. No. 15-8-234, 15-8-294, 15-8-295, 15-8-295/1, 15-8-295/1/A, 15-8-295/1/B, Goshamahal, Hyderabad, Rep., by its Partners 1) Praveen Kumar Jai S/o Sri Mangilal ji, aged 43 years. Om business. R/o H. No. 5-3-966. Flat No. 301, Parshwa Padmavathi Shanker bagh, Hyderabad.
2. Mahendra Kumar Jain, S/o Kantilal Jain. aged about 44 years. Occ. Business. R/o H. No. 5-3-831/1/2/3. Flat No. F5, Sri Si Residencey, Mallakunta, Goshamahal. Hyderabad.

...APPELLANTS

AND

1. The State of Telangana, Rep.. by its Principal Secretary. Municipal Department, Secretariat. Hyderabad.
2. The Greater Hyderabad Municipal Corporation, Tank Bund. Saifabad, Hyderabad.
3. The Zonal Commissioner, Secunderabad Zone, GHMC, Hyderabad.
4. The Deputy Commissioner, GHMC, Circle -16, Amberpet, Hyderabad.
5. The Chief City Planner, (Town Planning Section) GHMC Complex, Tank Bund, Saifabad, Hyderabad.
6. The Asst City Planner, Circle -16, Amberpet, Hyderabad.
7. The Deputy Director Survey and Land Records, D. No. 5-84-91, Karimabad Cooperative Society, Abids, Hyderabad.

...RESPONDENTS

IA NO: 3 OF 2024

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 Respondent authorities to grant building construction permission to the house bearing Nos.-5-121/E/1/6/A/3, 3-5-121/E/1/6/A/4 and 3-5-121/E/1/7 total admeasuring 670 square yards sitaued at Eden Garden Ramlwte, Hyderabad

Counsel for the Appellants: SRI. RAPOLU BHASKAR

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

Counsel for the Respondent Nos.2 to 6: SRI MIDDE ARUN KUMAR SC FOR Greater Hyderabad Municipal Corporation

Counsel for the Respondent NO.7: SRI MURALIDHAR REDDY KATRAM GP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

WRIT APPEAL No.1349 of 2024

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

Mr. Rapolu Bhaskar, learned counsel for the appellants.

Mr. Midde Arun Kumar, learned Standing Counsel for Greater Hyderabad Municipal Corporation for the respondents No.2 to 6.

Mr. Muralidhar Reddy Katram, learned Government Pleader for Revenue for the respondent No.7.

2. This intra court appeal has been filed against the order dated 24.04.2024 passed by the learned Single Judge in W.P.No.10759 of 2024, by which the writ petition preferred by the appellants has been dismissed.

3. Learned counsel for the appellants submits that similar writ petitions, namely W.P.Nos. 8497 of 2021 and 35997 of 2022, have been allowed by the learned Single

Judge. It is submitted that on account of inadvertence, the appellants could not bring the said fact to the notice of the learned Single Judge.

4. In the aforesaid fact situation of the case, the appropriate remedy for the appellants is to seek review of the order dated 24.04.2024.

5. The writ appeal is, therefore, disposed of with the liberty to the appellants to seek review of the order dated 24.04.2024 passed by the learned Single Judge. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

**SD/-R. KARTHIKEYAN
DEPUTY REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary. Municipal Department, Secretariat. Hyderabad.
2. The Greater Hyderabad Municipal Corporation, Tank Bund. Saifabad, Hyderabad.
3. The Zonal Commissioner, Secunderabad Zone, GHMC, Hyderabad.
4. The Deputy Commissioner, GHMC, Circle -16, Amberpet, Hyderabad.
5. The Chief City Planner, (Town Planning Section) GHMC Complex, Tank Bund, Saifabad, Hyderabad.
6. The Asst City Planner, Circle -16, Amberpet, Hyderabad.
7. The Deputy Director Survey and Land Records, D. No. 5-84-91, Karimabad Cooperative Society, Abids, Hyderabad.
8. One CC to SRI. RAPOLU BHASKAR Advocate [OPUC]
9. One CC to SRI MIDDE ARUN KUMAR SC FOR Greater Hyderabad Municipal Corporation [OPUC]
10. Two CCs to GP FOR MCPL ADMN URBAN DEV ,High Court for the State of Telangana. [OUT]
11. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
12. Two CD Copies

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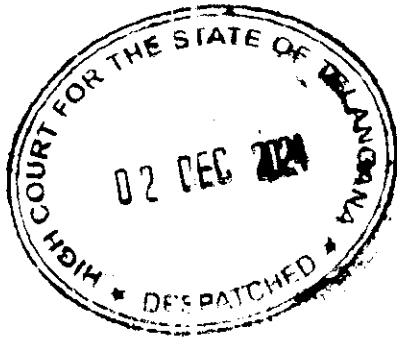
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[Handwritten Signature]

CC TODAY

HIGH COURT

DATED:02/12/2024



JUDGMENT

WA.No.1349 of 2024

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

16
2/12/24
OK