

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

THURSDAY, THE TWENTY SIXTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

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

WRIT PETITION NO: 16983 OF 2011

Between:

D. Vinod Kumar, s/o Sangameshwar Hindu, R/o H.No.4-5-20, Near Rama
Mandir, Sadasivapet, Medak District.

...PETITIONER

AND

The Sadasivapet Municipality, Rep.by its Commissioner, Sadasivapet, Medak
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 or order direction more particularly one in the nature of
Writ of Mandamus under Art.226 of Constitution of India, declaring the action of
the respondent without considering the application dated 02.02.2011 for granting
permission to make a tin shed in the open plot vide house no.3-1-103, 103/1,
103/2, 103/3 and 103/4 and H.No.3-1-104 situated at Siddapur base of
Sadasivapet town, Medak District for running a big cotton bazaar and also
cement pipes business on temporary basis

I.A. NO: 1 OF 2011(WPMP. NO: 20408 OF 2011)

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
directing the respondent not to remove the existing temporary Tin shed in the
open plot vide house no.3-1-103, 103/1, 103/2, 103/3 and 103/4 and H.No.3-1-
104 situated at Siddapur base of Sadasivapet town, Medak District

Counsel for the Petitioner: SMT. A. PADMA

Counsel for the Respondents: SRI N. PRAVEEN KUMAR (SC FOR MC)

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.16983 of 2011

ORDER: *(Per the Hon'ble Sri Justice J.Sreenivas Rao)*

This writ petition is filed for the following relief:

“...to issue a writ or order direction more particularly one in the nature of Writ of Mandamus under Art. 226 of Constitution of India declaring the action of the respondent without considering the application dated 02.02.2011 for granting permission to make a tin shed in the open plot vide House Nos.3-1-103, 103/1, 103/2, 103/3 and 103/4 and H.No.3-1-104 situated at Siddapur base of Sadasivapet town, Medak District for running a big cotton bazaar and also cement pipes business on temporary basis...”

2. Heard Smt. A.Padma, learned counsel for the petitioner. No representation on behalf of respondent Municipality.

3. Learned counsel for the petitioner submits that petitioner is the owner and possessor of open plot *vide* House Nos.3-1-103, 103/1, 103/2 103/3 and 103/4 and 3-1-104 situated at Siddapur base of Sadasivapet town, Medak District and the petitioner has submitted application to respondent Municipality on 02.02.2011

requesting them to grant permission for construction of a tin shed for doing small business. In spite of repeated requests made by the petitioner, respondent Municipality has not taken any steps to consider the claim of the petitioner on the ground that the subject property is Government Land. Learned counsel further submits that respondent Municipality is not having authority to decide the nature of the property and only the concerned District Collector is the competent authority to decide the same and requested this Court to grant liberty to the petitioner to submit representation to the concerned District Collector and on such representation he may be directed to consider the same, in accordance with law.

4. In view of the above said submissions, without going into the merits of the case, petitioner is granted liberty to submit a representation to the concerned District Collector within a period of two (2) weeks from the date of receipt of a copy of this order and on such representation, the concerned District Collector may consider the same, in accordance with law.

5. Accordingly, the writ petition is disposed of. No costs.

As a sequel, miscellaneous petitions, pending if any, shall stand closed.

SD/- V. KAVITHA
ASSISTANT REGISTRAR
SECTION OFFICER

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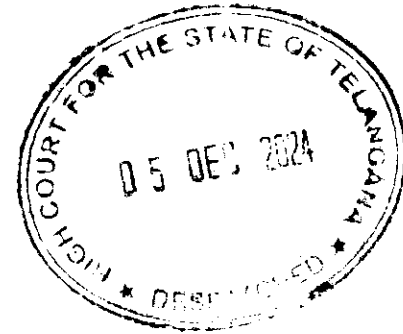
- To,
1. The Commissioner, The Sadasivapet Municipality, Sadasivapet, Medak District.
 2. One CC to SMT. A. PADMA Advocate [OPUC]
 3. One CC to SRI N. PRAVEEN KUMAR (SC FOR MC) [OPUC]
 4. Two CD Copies

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K.P.

HIGH COURT

DATED:26/09/2024



ORDER

WP.No.16983 of 2011

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

6 Copies
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13/11/24.