

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

**FRIDAY ,THE TWENTY SIXTH DAY OF JULY
TWO THOUSAND AND TWENTY FOUR**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SHRI JUSTICE ANIL KUMAR JUKANTI**

WRIT APPEAL NO: 879 OF 2024

Writ Appeal under clause 15 of the Letters Patent preferred against the order dated 23-05-2024 in W.P No. 13478 of 2024 on the file of the High Court.

Between:

M/s Advika Ventures, (project name is Advika Meadows), A Partnership firm, Rep. by its Managing Partner Mr. Cholleti Pavan Kumar, Situated at Sy. No.66, Kompally-Shivalayam, Medchal-Malkajgiri District, Telangana.

...APPELLANT/RESPONDENT No.6

AND

1. M/S APARNA PALM-GROVE WELFARE ASSOCIATION, A Reg. Welfare Society having office at Sy. No.44/B, Kompally Village, Qutbullapur Mandal, Medchal-Malkajgiri District, Rep. by its General Secretary, D.Gopal Rao, S/o. late Narsing Rao, Aged 58 years, R/o. Plot No.82, Phase-III, Aparna Palm-Grove, Kompally, Telangana-503 002.

.....RESPONDENT/WRIT PETITIONER

2. The Telangana State, rep. by its Principal Secretary, Municipal Administration and Urban Development Department, 3rd Floor, Telangana Secretariat, Hyderabad, Telangana-500 022.
3. The Kompally Municipality, rep. by its Commissioner, Office at Kompally Municipal Complex, Village main Road, Dundigal Gandimaissama, Medchal-Malkajgiri District - 500 100.
4. The Hyderabad Metropolitan Development Authority (HMDA), Rep. by its Commissioner, Office at Swarna Jayanti Complex, SR Nagar, Ameerpet, Hyderabad - 500 038.
5. The Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB), Rep. by its Managing Director, office at HMWSSB, administrative building, Khairatabad, Hyderabad, Telangana - 500 004.
6. The Inspector of Police cum Station House Officer, Pet Basheerabad Police Station, Medchal Malkajgiri District, Telangana.
7. M/s Lalita Construction, (project name Avani Gardens), A Partnership firm, Rep. by Its Partner Vatsavayi Bala Rama Raju, Situated at Sy.No.66, Kompally-Shivalayam, Dundigal Gandimaisamma, Kompally, Telangana-500 014.

...RESPONDENTS/RESPONDENTS R1 to 5&7

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 suspend the interim order dated 23.05.2024 passed in WP. No. 13478 of 2024

Counsel for the Appellant: SRI KONDAPARTHY KIRAN KUMAR

Counsel for the Respondent No.1: SRI SUDARSHAN MALUGARI

**Counsel for the Respondent No.2: SRI E. VENKATA REDDY,
GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT**

**Counsel for the Respondent No.3: SRI G. VENUGOPAL RAO REP
SRI B. JAGAN MADHAV RAO, SC FOR MUNICIPALITIES**

Counsel for the Respondent No.4: M/s. D. MADHAVI , SC FOR HMDA

**Counsel for the Respondent No.5: SRI G. NARENDER REDDY,
SC FOR HMWSSB**

Counsel for the Respondent No.6: SRI MAHESH REAJE, GP FOR HOME

Counsel for the Respondent No.7:--

The Court made the following: JUDGMENT

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SHRI JUSTICE ANIL KUMAR JUKANTI

WRIT APPEAL No.879 of 2024

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

Mr. Kondaparthi Kiran Kumar, learned counsel for the appellant.

Mr. Sudarshan Malugari, learned counsel for respondent No.1.

Mr. E.Venkata Reddy, learned Government Pleader for Municipal Administration and Urban Development Department for respondent No.2.

Mr. G.Venugopal Rao, learned counsel representing Mr. B.Jagan Madhav Rao, learned Standing Counsel for Municipalities for respondent No.3.

Ms. D.Madhavi, learned Standing Counsel for Hyderabad Metropolitan Development Authority for respondent No.4.

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Mr. G.Narender Reddy, learned Standing Counsel for Hyderabad Metropolitan Water Supply and Sewerage Board for respondent No.5.

Mr. Mahesh Raje, learned Government Pleader for Home Department for respondent No.6.

2. This intra court appeal is filed against an ad interim order dated 23.05.2024 passed by the learned Single Judge in W.P.No.13478 of 2024, which reads as under:

“Heard learned counsel for the petitioner.

Learned Government Pleader for Municipal Administration and Urban Development Department, takes notice on behalf of respondent No.1.

Mr. B.Jagan Madhav Rao, learned Standing Counsel for Kompally Municipality, takes notice on behalf of respondent No.2.

Learned Government Pleader for Home takes notice on behalf of respondent No.5.

Learned Standing Counsel for respondent No.2, who is the concerned official, requests time to take further instructions.

Post the matter on 30.05.2024.

Meanwhile, respondent Nos.2, 3 and 4 shall ensure that no further construction activities are taken up by respondent Nos.6 & 7.”

3. By the aforesaid interim order, there has been no adjudication of the *lis* between the parties. The appellant can seek vacation of the aforesaid ad interim order passed by the learned Single Judge.

4. Therefore, we are not inclined to interfere with the impugned order in this intra court appeal. Needless to state that in case an application seeking vacation of stay is filed, the same shall be dealt with expeditiously.

5. Accordingly, the Writ Appeal is disposed of.

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

Sd/- Ch. VENKATESWARLU
DEPUTY REGISTRAR

//TRUE COPY//

Ch
SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, 3rd Floor, Telangana Secretariat, Hyderabad, Telangana-500 022.
2. The Commissioner, Kompally Municipality, Office at Kompally Municipal Complex, Village main Road, Dundigal Gandimaisamma, Medchal-Malkajgiri District - 500 100.
3. The Commissioner, Hyderabad Metropolitan Development Authority (HMDA), Office at Swarna Jayanti Complex, SR Nagar, Ameerpet, Hyderabad - 500 038.
4. The Managing Director, Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB), office at HMWSSB, administrative building, Khairatabad, Hyderabad, Telangana - 500 004.

5. The Inspector of Police cum Station House Officer, Pet Basheerabad Police Station, Medchal Malkajgiri District, Telangana.
6. Two CCs to GP for MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, High Court for the State of Telangana, at Hyderabad [OUT]
7. Two CCs to GP for HOME High Court for the State of Telangana, at Hyderabad [OUT]
8. One CC to SRI KONDAPARTHY KIRAN KUMAR, Advocate [OPUC]
9. One CC to SRI SUDARSHAN MALUGARI, Advocate [OPUC]
10. One CC to SRI B. JAGAN MADHAV RAO, SC for MUNICIPALITIES [OPUC]
11. One CC to SRI G. NARENDER REDDY, SC for HMWSSB [OPUC]
12. One CC to M/s. D. MADHAVI, SC for HMDA [OPUC]
13. Two CD Copies

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HIGH COURT

DATED:26/07/2024



JUDGMENT

WA.No.879 of 2024

**DISPOSING OF THE WRIT APPEAL
WITHOUT COSTS**

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27/9/24