

HIGH COURT OF JUDICATURE AT HYDERABAD  
For the State of Telangana and the State of Andhra Pradesh

W.P. NO.

of 2015

RUNNING INDEX

S. No	Ex.	Description of the document	Date of paper	Date of filing	Page No.
1.		Service Certificate	10-03-2015	10-03-2015	1
2.		Court fee	-do-	-do-	2
3.		Writ Petition	-do-	-do-	3-4
4.		Annexure I & II	-do-	-do-	5
5.		Affidavit & verification	-do-	-do-	6 - 15
		<b><u>MATERIAL PAPERS</u></b>			
6.	P-1	Copy of letter	25-04-2013	do-	16
7.	P-2	Copy of letter of HUDA with neat typed copy	26-03-2007	-do-	17 - 20
8.	P-3	Copy of proceedings with neat copy	31-03-2007	-do-	21 - 25
9.	P-4	Copy of GO Ms.No.171	19-04-2006	-do-	26 - 30
10.	P-5	Copy of Memo	22-11-2006	-do-	31 - 35
11.	P-6	Copy of letter	08-04-2011	-do-	36 - 37
12.	P-7	Copy of letter	26-02-2013		38 - 39
13.	P-8	Copy of letter to GHMC with its enclosures	27-12-2014		40 - 43
14.	P-9	Copy of letter to the Zonal Commissioner, North, GHMC	12-09-2014		44
15.	P-10	Copy of caveat petition			45 - 51
16.		Vakalat	10-03-2015	10-03-2015	52
17.		Respondent address	10-03-2015	10-03-2015	53

Hyderabad  
Date: 10-04-2015

Counsel for Petitioner



(Memorandum of Writ Petition u/Art. 226 of the Const.of India) |  
IN THE HON'BLE HIGH COURT OF JUDICATURE AT  
HYDERABAD FOR THE STATE OF TELENGANA AND STATE OF  
ANDHRA PRADESH

(Special Original Jurisdiction )

W.P. /2015

Between

Janpriya Flat Owners Welfare  
Association  
Rep by Secretary Raja Biswas  
S/o Madhabendra Biswas  
R/o Janapriya Arcadia flat owners welfare association,  
Mahadevpur, Kowkooor, Secunderabad.

.. Petitioner

AND

1 The State of Telangana  
Rep by Principal Secretary,  
Municipal administration and Urban  
development , Secretariat (T)  
Tank Bund, Hyderabad.

2 The Greater Hyderabad Municipal Corporation  
Rep by the Commissioner,  
Liberty circle, Hyderabad.

3 Deputy Commissioner, GHMC  
Alwal circle, Alwal,  
Secunderabad-500010.

4 The Hyderabad Metropolitan  
development authority  
Rep. by The Metropolitan  
Commissioner, HMDA,  
Block A, District Commercial  
Complex, Tarnaka,  
Secunderabad 500017

5 The Zonal commissioner,  
HMDA Medchal Zonal office,  
Plot No 14 &15,  
Chandra Nagar,  
Opp: Mukundh Theatre,  
Medchal, Ranga Reddy district  
501401

6 Janapriya Engineers Syndicate Limited  
H.No.3-6-115115/a, Himayatnagar, Hyderabad.29  
And Door No 8-2-120/86 & 8-2-120/86/1,  
3<sup>rd</sup> floor, Keerthi & Pride towers, Road No 2, Banzara Hills, Hyd.34  
Rep by MD.K.Ravinder Reddy S/o late Purushotham Reddy  
H.No.3-6-115/a, Himayatnagar, Hyderabad.

.. Respondents



4

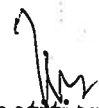
**PARTICULARS OF THE PETITIONER** The address of the Petitioner for the purpose of service of notices, process etc., is that of his counsel Sri <sup>R. CHIVA KUMMAR</sup> ~~B. Rajeswara~~ Rao, Vijay A, Upender, advocates, Prashant Nagar, Vanasthalipuram, Hyderabad.

**PARTICULARS OF THE RESPONDENTS** The particulars of the respondents for the purpose of service of notices, process etc., is same as above mentioned in the cause title.

It is therefore prayed that, this Hon'ble court may be pleased to issue Writ direction or order more particularly in the nature of Writ of Mandamus declaring the action of official respondents in allowing respondent 6 to extend the approach road belonging to petitioner's association to the adjacent and separate lay-out in survey No 3 to 9, 33 of Mahadevpur (V), 1,3, to 7 of Kowkooor(V), Malkajigiri (M), R.R.(dist) marketed as Villa Orchids by declaring the main access road of petitioner's gated community (Janapriya Arcadia) as public road & approach road to new residential gated community marketed as Villa Orchids promoted by respondent 6 vide GHMC's Letter no 40972/28/06/2011-13/1498 dated 25.04.2013 as being illegal, arbitrary and violative of Article 14, 21 and 300(A), provisions of G.H.M.C.Act, 1955 and the Andhra Pradesh /Hyderabad Revised Common Building Rules, 2006 in respect of gated community and pass such other order or orders as may be deemed fit and proper in the circumstances of case.

23-2-2015

Hyderabad

  
counsel for petitioner





Returned

RANGA REDDY: DISTRICT

HIGH COURT

neatly stitched wise bundles with all relevant documents is to be filed for further scrutiny.

IN THE HIGH COURT OF JUDICATURE  
AT HYDERABAD FOR THE STATE OF  
TELENGANA AND THE STATE  
ANDHRA PRADESH

PS  
23/2/15

IN JUDICATURE AT HYDERABAD  
REGISTRY SECTION  
24 FEB 2015  
RETURNED ON 24/2/15  
AR

23 JAN 2015  
RECEIVED ON 23/1/15

W.P.No /2015

23937

700 CF  
60 Procf/Bate  
5 CF (w/rd)  
15 CF  
10 CF w/ G.M.D.

490/-

Bk 490/-  
1203

MEMO OF WRIT PETITION

FILED ON: 23-2-2015

FILED BY:

APS  
14

B. SHIVA KUMMAR  
(6312)  
P. Rajeswara Rao, advocate

~~415~~



6

IN THE HON'BLE HIGH COURT OF JUDICATURE: AT HYDERABAD  
FOR THE STATE OF TELAGANA AND STATE OF ANDHRA PRADESH  
SPECIAL ORIGINAL JURISDICTION

WP.No...../2015

BETWEEN:

Janpriya Arcadia Flat Owners  
Welfare Association,  
Rep by Secretary Raja Biswas  
S/o Madhabendra Biswas  
R/o Janapriya Arcadia flat owners welfare association,  
Mahadevpur, Kowkooor, Secunderabad. .. Petitioner

AND

1 The State of Telangana  
Rep by Principal Secretary,  
Municipal administration and Urban  
development, Secretariat (T)  
Tank Bund, Hyderabad.

2 The Greater Hyderabad Municipal Corporation  
Rep by the Commissioner,  
Liberty circle, Hyderabad

3 Deputy Commissioner, GHMC  
Alwal circle, Alwal,  
Secunderabad-500010

4 The Hyderabad Metropolitan  
development authority  
Rep by The Metropolitan  
Commissioner, HMDA,  
Block A, District Commercial  
Complex, Tarnaka,  
Secunderabad 500017

5 The Zonal commissioner,  
HMDA Medchal Zonal office,  
Plot No 14 & 15,  
Chandra Nagar,  
Opp: Mukundh Theatre,  
Medchal, Ranga Reddy district  
501401

6 Janapriya Engineers Syndicate Limited  
H.No.3-6-115115/a, Himayatnagar, Hyderabad.29  
And Door No 8-2-120/86 & 8-2-120/86/1,  
3<sup>rd</sup> floor, Keerthi & Pride towers, Road No 2,  
Banzara Hills, Hyderabad-500034  
Rep by MD.K.Ravinder Reddy S/o late Purusho:ham Reddy  
H.No.3-6-115/a, Himayatnagar, Hyderabad. .. Respondents

  
GENERAL SECRETARY  
JAFOWA



7

**AFFIDAVIT**

I Raja Biswas S/o Madhabendra Biswas, Aged: 39, Occ: Service, R/o Flat No. A555, Janapriya Arcadia, Kowkooor, Secunderabad, do here by solemnly affirm and sincerely state on oath on as follows.

1 I submit that I am the secretary of the Janapriya Arcadia Flat owners / Residents welfare Association (Reg.No. 1351/2010) comprising of four blocks, and the petitioner here in. Having been authorised to file writ petition on behalf of the association, as such well acquainted with the facts of the case. The cause of action against the respondents for the members of the Petitioner association is same and as such a court fee of Rs 100/- is paid.

2 I respectfully submit that this Writ Petition is filed challenging the action of the respondents in allowing the respondent-6 to illegally extend the approach road of gated community of the petitioner's society (Janapriya Arcadia) and declaring the main access road of 12m width pertaining to the gated community of the petitioner's society (Janapriya Arcadia) as public road and approach road to the so called Villa Orchids (new residential gated community proposed in adjacent land by the respondent-6 and promoted by others), as being illegal, arbitrary and violative of Article 14, 21 and 300(A) of Constitution of India and as also the provision of G.H.M.C.Act,1955 and the Andhra Pradesh/ Hyderabad Revised Common Building Rules, 2006 pertaining to gated community.

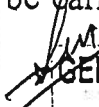
3 I further respectfully submit that petitioner association comprises of the owners and possessors of residential apartments Stilt + 5 floors comprising A,B,C&D blocks in Sy Nos 9(P),10,11,12,13(P),14 to 21, 27,28,29 over an area

  
GENERAL SECRETARY  
JAECWA



8

of Acres 11- 33 guntas of Mahadevpur (V), Kowkoor(V), Malkajgiri (M), R.R.Dist, registered as Janapriya Arcadia flat owners welfare association with registration No.1351/2010. Initially the above said flats came to be constructed by Respondent -6 in the capacity of developer & builder in a separate deal with the owner's of the land under the deal between the Respondent 6 and the owner's of the above said land for the constructions of flats there on. Accordingly the respondent 6 obtained HUDA permission from the respondent 4 & 5 (the then HUDA and later renamed as HMDA vide erstwhile Govt of Andhra Pradesh G.O.Ms No 570, MA, dated 25.08.2008) vide Letter No 2809/Plg /P4/HUDA/2007 dated 26.3.2007 and municipal permission from the respondent 3 (the then Commissioner, Municipality Alwal and later merged into GHMC, Hyderabad in April 2007) vide Commissioner, Alwal Municipality's Proceedings No G1/575/BA/573/07 dated 31.03.2007 in accordance with rule 10 of erstwhile Andhra Pradesh/Hyderabad Revised Common Building Rules, 2006 communicated vide Govt of A.P. MA & UD (M) Dept) G.O. Ms. No 86 dated 3.3.2006 and its amendments in G.O. Ms.No. 171, MA &UD (M) Dept dated 19.4.2006& in G.O. Ms No 623 dt 1.12.2006 under Group Housing schemes. As per the sanctioned plan & permission, the builder has to construct compound wall all along the land, provide one entry and one exit to the premises (mentioned at s.no.21-a of Alwal Municipality proceedings No G1/575/BA/573/07 permission dated 31.03.2007 ) and a joint open space with neighboring building / premises for maneuverability of fire vehicles (mentioned at s.no. 21-m ). As per rule 10.7 (b ) of Andhra Pradesh / Hyderabad Revised Common Building rules 2006, the builder has to provide common amenities, and facilities like shopping center, community hall or center/ club house etc are required to be provided in up to 5% of the Area and shall be planned and developed. As per rule 10.7 ( e) minimum of 10% of site area shall be earmarked for organized open space and utilized as greenery, tot lot


  
GENERAL SECRETARY  
JAFOWA



er soft land scaping, etc and shall be provided over and above the mandatory open spaces. As per the above said permit order & approved plans, the above said land was to be developed as a integrated group housing comprising A,B,C&D blocks / gated community in Ac 11-33guntas of Sy Nos 9(P),10,11,12,13(P),14 to 21, 27,28,29(P) of Mahadevpur (V), Kowkooor(V), Malkajgiri (M), R.R.Dist, and as such the respondent 6 offered the sale of residential flats under the name and style of Janapriya arcadia since 2007 as a gated community.

4 I further respectfully submit that the members of the petitioner's association who shared the common ambition of owning residential flats were equally attracted by lofty proposals of gated community proffered by the respondent 6. While things stood thus, the respondent 6 developed the flats and most of the flats either have been sold or being held in possession as semi finished flats under registered agreements of sale since 2009 and respondent 6 has given possession to members of petitioner's association and they are paying property tax to respondent 2 since 2009. The respondent 6 and others had transferred the undivided share of land out of total Ac 11-33 guntas land of the Janapriya Arcadia project to purchasers/members of Petitioner's association since 2009 and respondent 6 is not having any authority on total land of Ac 11-33 guntas of the Janapriya Arcadia project since total area was proposed for group housing as per municipal approved plan and put for sale as a gated community. However, at no point of time has there been any mistake on the part of petitioner's association or respondent 6 that the land together with flats conveyed to the member of the petitioner's association as a gated community with the attendant benefits was absolute and exclusively in favor of the petitioner's association.

5 I further respectfully submit that the respondent 6 has now taken up development of land adjacent to the development of the petitioner's gated

  
GENERAL SECRETARY  
IAFOWA





community, proposed to be marketed as Villa Orchids (permission given by the respondent-2 to respondent-6 vide permit no 24873/HQ/NZ/Cir-17/2013 Dated 13.06.2013 for construction of residential gated community). It is pertinent to mention here that respondent 6 had obtained huda & municipal permissions for the development of petitioner's association land which had not shown that the above said adjacent land had anything to do with the land on which the petitioner's association apartments have come up. This is amply vindicated by the fact that the approach road to the Janapriya Arcadia alone was the width 12 meter which is as per the huda regulation and erstwhile Andhra Pradesh /Hyderabad Revised common building rules, 2006 and as per the clarification given by the respondent 1 (the then Principal Secretary, erstwhile A.P Govt) vide MA & UD (M) Dept memo No 6346/M/2006-10 dated 22.11.2006 wherein at S.No. 1 the Govt had clarified that Gated development are different from traditional layout schemes and the internal road facilities are meant for the utilization of the colony/scheme only and as such are not public through fares.

6 I further respectfully submit that if the 6th respondent had planned the present residential gated community marketed as Villa Orchids earlier along with Janapriya Arcadia in 2007, then either he would have provided the through public access road of 9m width on any one side at the periphery for convenience of accessibility of other sites and lands located in the interior as per rule 10.7 ( c ) of G.O.Ms.No.86 MA&UD(M)Dept dated 03.03.2006 or he would have obtained approval of layout showing both the schemes duly providing 25.00m wide access road as per HUDA land regulations to suit both group housing/ new residential gated community marketed as Villa Orchids in adjacent land since the total road length in both lands is around 600m and the width of the main road is to be in proportion to the length of the main road in a layout as per huda land regulations. Be as it may, if the length of the total approach road is taken the proportionate

GENERAL SECRETARY  
JAFOWA



11

width falls short of legal requirements which cannot be improved against the right title and interest of the petitioner Janapriya Arcadia.

7 I further respectfully submit that by virtue of several deeds the Respondent 6 has transferred the ownership, undivided share out of total Ac11-33 guntas in favour of members of petitioner association since 2009 and the amenities or even the design of the entire structure including open space cannot be altered to the disadvantage of the petitioner's association much less without the prior consent of members of petitioner association in writing. Further the respondent 6 has collected Rs 20,000 towards development of land from each purchaser of flats with which the respondent 6 has constructed all internal and main access roads in Janapriya Arcadia project. There is no such for provision of handing over internal roads of a gated community/ group housing complex to local Municipal authorities as per Andhra Pradesh /Hyderabad revised common building rules 2006.

7 I further respectfully submit that the entire blame for this perpetuation of illegality lies at the door of respondents who being the statutory authority vested and mandated to oversee a well regulated and all round development of the city/town has willfully played into the hands of respondent 6. The respondent 2, authorities not only appear but also have demonstrated their willingness to bend any rule to accommodate respondent 6 who is not only influential but also having contacts in high places. The respondent in his letter No 40972/28/06/2011-2013/1498 dated 25.04.2013 has directed the respondent 6 to remove the gates/ security room etc and declared the approach road of 12m wide as public road and access road to residential enclave which is against to Municipal approved plans and Andhra Pradesh/Hyderabad Revised common building rules 2006. It is submitted that the letter no 40972/28/06/2011-2013 /1498 Dt 25.04.2013 issued by the respondent was not even communicated to the members of petitioner/

GENERAL SECRETARY  
JAFOWA





12

petitioner's association even though the undivided share of land out of total Acll-33 guntas was transferred to flat owners by respondent 6 since 2009 and 300 families are presently occupying and residing in Janapriya Arcadia and paying property tax to respondent 2 since 2009. The respondent 2 had simply considered the proposal of gift deed settlement conveyed by the respondent 6 for transferring the land of approach road pertaining to Janapriya Arcadia for which the respondent 6 is no more owner of the land since most of the flats are sold out and he along with land lords conveyed the title to members of petitioner's association since 2009. The collusive acts of respondent 2 & 6, have made the life's of petitioner's association miserable and un-inhabitable in as much as respondent 6 has deployed a posse of heavy vehicles carrying high risk construction materials by using the roads & open spaces of the petitioner's association. By such misuse of the internal roads of the petitioner's association the children of the residents of petitioner's association has been exposed to untold hazards. Apart from that the rumbling movements of heavy vehicles day in and day out inside the gated community of the petitioner's association is causing deafening din, making the inmates of the petitioner's association live in constant anguish and leaving them pray fervently for salvation. Unfortunately none of the plight of the petitioner's association nor the flagrant violation of rules & regulations have so much as jerked the respondent 2 from its calculated and self serving indifference.

8 I further respectfully submit that the petitioner's association comprise of middle class families whose sustained efforts to resist illegal takeover of the internal approach road has been brushed aside by respondent 6 strengthened by silence on the part of respondent 2. In case of any irregularities by lesser people the Respondent 2 would have suspended the license. A perusal of the rules & regulations would unmistakably clinch the fact that any interpolations with the design of gated community is clearly forbidden. The official communication from

GENERAL SECRETARY  
JAFOWA

*[Signature]*



the office of respondent 2 has reiterated that a gated community is not on par with the traditional lay-out which is the case with the adjacent land and against to the clarification given by the respondent 1 (the then Principal Secretary, erstwhile A.P Govt) vide MA & UD (M) Dept memo No 6346/M/2006-10 dated 22.11.2006 wherein at S.No. 1 the Govt had clarified that Gated housing development are different from traditional layout schemes and the internal road facilities are meant for the utilization of the colony/scheme only and as such are not public through fares. The respondent 2 has a mandate not to approve such lay-outs whose approach road depends on approach road of gated communities in violation of rules & regulations. Ostensibly respondent 2 and other official respondents herein have deliberately closed its eyes jeopardizing the lives of petitioner. If these illegalities are allowed to be perpetuated great prejudice and irreparable loss would be caused to the petitioner.

9 I further respectfully submit that the valuable right guaranteed by the Constitution of India are being utterly disregarded by the respondent authorities herein collectively, and they do not seem to have semblance of responsibility to uphold the majesty of law and regulation which are evolved in larger public interest, moreover the future inhabitants of the adjacent lay-out would be put to great risk by a calculated and misleading promises of the roseate homes with glossy captions to lure gullible purchasers which sooner or later pits one against the another in maze of litigations over the claim of approach roads and open spaces. It is a selected law that, if law prescribes a particular manner in which the work has to be carried out, it has to be in the manner prescribed by law and no other.

10 I further respectfully submit that the deliberate inaction on the part of respondent 2 to ensure scrupulous adherence to building rules is illegal, arbitrary

GENERAL SECRETARY  
JAFOWA







and violative of Article 14, 21, 300(A) of the Constitution of India, provision of G.H.M.C. Act, 1955 and the Andhra Pradesh /Hyderabad Revised Common Building Rules, 2006 and the respondent 2 had suppressed the information to the petitioner's association in declaring the approach road of Janapriya Arcadia as public road and made it as approach road to proposed residential gated community marketed as Villa Orchids even though they are in possession since 2009 and paying property tax to respondent 2.

10 I further respectfully submit that, I have not previously filed any case or neither writ petition nor any other case is pending before any authorities except representation made by the petitioner's association.

11 I further respectfully submit that, I have no other alternative, effective and efficacious remedy except to approach this Hon'ble court U/Article 226 of Constitution of India.

#### MAIN PRAYER

It is therefore prayed that, this Hon'ble court may be pleased to issue Writ direction or order more particularly in the nature of Writ of Mandamus declaring the action of official respondents in allowing respondent 6 to extend the approach road belonging to petitioner's association to the adjacent and separate lay-out in survey No 3 to 9, 33 of Mahadevpur (V), 1,3, to 7 of Kowkooor(V), Malkajigiri (M), R.R.(dist) marketed as Villa Orchids by declaring the main access road of petitioner's gated community (Janapriya Arcadia) as public road & approach road to new residential gated community marketed as Villa Orchids promoted by respondent 6 vide GHMC's Letter no 40972/28/06/2011-13/1498 dated 25.04.2013 as being illegal, arbitrary and violative of Article 14, 21 and 300(A), provisions of G.H.M.C.Act, 1955 and the Andhra Pradesh /Hyderabad Revised Common Building Rules, 2006 in respect of gated community and pass such other order or orders as may be deemed fit and proper in the circumstances of case.

GENERAL SECRETARY  
JAFOWA

*[Signature]*



15  
➤ INTERIM PRAYER

It is therefore prayed that this Hon'ble court may be pleased to suspend the building permit accorded vide permit No:24873/HO/NZ/Cir-17/2013 dated 13.06.2013 & orders given by the official respondents declaring the main access road of petitioner's gated community (Janapriya Arcadia) as public road & approach road to new residential gated community marketed as Villa Orchids promoted by respondent 6 & others vide Commissioner, GHMC's Letter no 40972/28/06/2011-13/1498 dated 25.04.2013 pending disposal of the Writ petition, and pass such other order or orders as may be deemed fit and proper in the circumstance of the case and in the interest of the justice.

Sworn & signed before

Me on this the 15-2-2015

Advocate Hyderabad.


  
GENERAL SECRETARY  
JAFOWA

DEPONENT

VERIFICATION

I Raja Biswas S/o Madhabendra Biswas, the petitioner herewith hereby verify and confirm that the contents of the affidavit filed in support of writ petition in paras 1 to 8 are true and correct to the best of my knowledge & belief & those of paras 2 to 9 are believed to be true on the basis of records and those of paras 5 to prayers are based on legal advice and believed to be true. Hence verified on this the 15 day of February 2015 at Hyderabad.

Counsel for Petitioner

  
GENERAL SECRETARY  
JAFOWA

DEPONENT



16 ... P1

GREATER HYDERABAD MUNICIPAL CORPORATION

Office of the Commissioner  
Town Planning Section - HQ  
GHMC, Tank Bund, Hyderabad

Lr.No. 40972/28/06/2011-2013 /1498

Dt. 04.2013

To  
M/s. Janapriya Properties Pvt., Ltd & Others,  
H.No.3-6-115/A, Himayathnagar,  
Hyderabad.

Sir,

Sub: GHMC - Town Planning Section - HQ - Proposed construction of Residential Enclave (Gated Community) for construction of Independent House consisting of Ground + 1<sup>st</sup> floor, a Menities Block with Ground + 3 upper floors and LIG / EWS with Stilt for parking + 5 upper floors in Pr.No.3 to 9 and 33 of Mahadevpur (V), Malkajgiri (M) and Sy.No.1, 3, 4, 5, 6 & 7 of Kowkooor (V), Malkajgiri (M), R.R. District - Reg.

- Ref: 1] Your Building application dt.28.06.2011
- 2] This Office Lr.No.40972/28/06/2011 dt.28.06.2011
- 3] Building Committee meeting held on 03.09.2011
- 4] This Office Lr.No. even dt.24.10.2011
- 5] Your Letter with Revised plans dt.28.12.2011
- 6] This Office Lr.No. even dt.27.08.2012
- 7] Your letter dt.13.09.2012 with DD
- 8] Your letter dt.11.02.2013 with DD
- 9] This Office Lr.No. Even dt.26.03.2013
- 10] Your letter dt.28.03.2013
- 11] Complaint petition from Janapriya Arcadia dt.04.02.2013 & 26.02.2013.

\*\*\*

With reference to the complaint 11<sup>th</sup> cited communicated to this office stating that "not to allow the builder to treat access road as public road for proposed to building the adjacent residential / project enclave as it is violation of the Government rules"

The 12.00mts approach road to the Gated Community (Residential Enclave) as it is an access / approach which shall become public road and you are already handed over to the GHMC to DMC Alwal Circle, as informed by DMC letter dt.27.10.2011.

Therefore the access / road shall have no encroachment like gates / security rooms to be demolished as public road.

Therefore, you are hereby informed to demolish the gates / security rooms so as to take further action in the matter.

Yours faithfully

  
for Chief City Planner



17

P2

**HYDERABAD URBAN DEVELOPMENT AUTHORITY**  
 1-R-773, Paigah Palace, Rasoolpura,  
 Secunderabad - 500 003. Tel. 91-40-7903371

**PLANNING DEPARTMENT (Dev. Control)**

Letter No. 2809 / PIP/P4/HUDA/2007

Dated: 26-3-2007

To:  
 M/S. Janapriya Engineers Syndicate  
 rep. by Sri K. Ravinder Reddy & others,  
 3-6-115/A, Himayatnagar,  
 Hyderabad-500.029.

At/Madam,

Sub:- HUDA - Plg.-Hyd.Dev.Area - Building Permission/NOC in Plot Nos. 28, 29 (P) & Mahadevpur (V), Kowkoor (V) Sy.No. 9 (P), 10, 11, 12, 13 (P), 14 to 21, 27 Ranga Reddy District Rog.

Ref:- 1. Your application dated: 28-2-2007.  
 2. G.O.Ms.No.62, of Home (Prisons-A2) Department, Dated: 25-3-2006.

With reference to your application cited, you are informed that the proposals have been scrutinized. In this connection, you are requested to remit the following fees for according Building Permission/NOC.

**1. DEVELOPMENT CHARGES:**

As per Sec.27 & 28 of the A.P.U.A (D) Act, 1975 & G.O.Ms.No.51 MA, dt.3.2.06, proposed built up open Plot area @ Rs. /- per Sq.Mtr. and remaining open Plot @ Rs. /- per Sq.Mtr.	29,19,367-40
(ii) Sub-Division/Consolidation charges	---
(iii) 10% open space charges	---
(iv) Layout charges	---
(v) Other charges (Balance Proc.charges)	9,46,696-88
(vi) Publication charges	6,65,627-00
	5,000-00

**2. COMPOUND FEES:**

(i) For undertaking the development without prior approval from the Competent Authority, as per the provisions of Section-4) of A.P.U.A(D) Act, 1975.	---
(ii) Fees under Appeal Clause	---
Already paid Processing Charges (-)	10,000-00

Total Rs. 45,26,672-18 (Say:)

Not Charges to be paid 45,26,673-00

Rupees Forty five lakhs, twenty six thousand six hundred seventy three only)

You are requested to remit the above said amount through a challan in Indian Overseas Bank, HUDA Extension counter, situated at this office premises on or before 11-4-2007 and submit duplicate challan with application for taking necessary permission. Further, you are also requested to submit an undertaking in terms of G.O.Ms.No.51 MA, dt.17-11-2000 as per the enclosed format.

Contd. :-





18

Further, you are also requested to remit an amount of Rs. 3,99,776.20 (Say) Rupees Three lakhs, ninety nine thousand seven hundred only 3,99,377.70 seventy six only) towards Fire Service Infrastructure Development Fund through separate Challan in A/C No. 14198 at Indian Overseas Bank, Himayalmagar, Extension Counter, HUDA and produce the same on or before 11-4-2007.

Subject to conditions that:

- (a) The applicant shall pay 'DC + PC + Other charges' for residential apartment + Commercial + Club House.
- (b) The applicant shall pay the fire service Infrastructure Development fee.
- (c) The applicant shall handover the area effecting under 24.0 Mtrs road as per Notified Master Plan, area to Local Authority on free of cost on the same road is proposed 30 Mtrs wide as per Revised Master Plan 2020 the area effected under road to Local Authority.
- (d) The applicant shall ensure to all the conditions mentioned in G.O. 96, 171, 623 respectively.
- (e) The applicant should provide STP line.
- (f) A copy /set of Building Permission plans shall be furnished to Airforce Authority and defence Authority for kind information and necessary action.
- (g) The applicant shall Mortgage the 10% built up area. (or) Ground floor, first and second floor area which ever is less as per G.O. 623 MA, dt. 1-12-2006 in favour of Commissioner, Alwal Municipality as per Rule 20(c) of G.O. 623 MA, dt. 1-12-2006.
- (h) The applicant shall shifted all the electrical power lines, existing on the ground all along the 12 Mtrs and 9 Mtrs road before release of Sanction plans.
- (i) The applicant shall maintain 2.0 Mtrs wide storm water drain with green belt all along boundary line as shown in plan.

Yours faithfully,  
Sd/-  
Vice-Chairman.

//t.c.f.b.o.//

*[Signature]*  
26.3.007  
Divi. Admn. Officer (P. i.)



## HYDERABAD URBAN DEVELOPMENT AUTHORITY

1-8-323, Paigha Palace, Rasoolpura,

Secunderabad - 500003, Tel. 91-40-7905371

PLANNING DEPARTMENT (Dy. Controll)Letter No.2809/Plg/P4/HUDA/2007

dated: 26-3-2007

To J  
 M/s. Danapriya Engineers Syndicate  
 Rep. by Sri. K.Ravinder Reddy & others,  
 3-6-115/A, Himayatnagar,  
 Hyderabad -500029

Sir/Madam,

Sub:- HUDA- Plg, - Hyd. Dev. Area - Building Permission/ NOC in Plot Nos. Sy. No.9 (P),10, 11, 12, 13 (P), 14 to 21, 27, 28, 29 (P), Mahadevpur (v), Kowkor (v), Ranga Reddy District - Reg.

Ref:- 1. Your application dated 28-2-2007.  
 2. G.O.Ms. No. 62 of Home (Prisons-A2), Department, Dated 25-3-2006

\*\*\*

With reference to your application cited, you are informed that the proposals have been scrutinized. In this connection, you are requested to remit the following fees for according building permission/ NOC.

I.	<u>DEVELOPMENT CHARGES:</u> (as per sec. 27 & 28 of the APUA (D) Act, 1975 & G.O.Ms. No. 51 M.A. dt. 5-2-96, proposed built up open Plot area @ Rs. /- per Sq. mtrs and remaining open... 29,19,367-40 Plot @Rs. /- per Sq. mtrs		
II.	Sub-Division/Consolidation charges	...	----
III.	10% open space charges	...	----
IV.	Layout charges	...	9,46,693-88
V.	other Charges (balance proceeding charges)	...	6,65,627-00
VI.	Publication charges	...	5,000-00
VII.	<u>COMPOUND FEES:</u> (for undertaking the development without prior Approval from the competent authority, as per The provisions of section-4) of APUA (D) Act, 1975	...	----
VIII.	Fees under appeal clause Already paid processing charges	(-) ...	10,000-00
		Total Rs.	<u>45,26,672-18</u>

Not charges to be paid Rs. 45,26,673-00  
 (Rupees forty five lakhs, twenty six thousand six hundred seventy three only)

You are requested to remit the above said amount through a challan in Indian Overseas Bank, HUDA Extension counter, situated at this office premises on or before 11-4-2007 and submit duplicate challan with application for taken necessary action. Further, you are also requested to submit an undertaking in terms of G.O.Ms. No. 51 M.A. dt. 17-11-2000 as per the enclosed format.



Further, you are also requested to remit an amount of Rs.3,99,776-20 (rupees three lakhs ninety nine thousand seven hundred seventy six only) towards. Fire service infrastructure development fund through separate challan in A/c. No. 14198 at Indian Overseas Bank, Himayathnagar , Extension Counter, HUDA and produce the same on or before 11-4-2007.

Subject to conditions that:

- (a) The applicant shall pay DC + PC+ other charges for residential apartment + Commercial + Club house.
- (b) The applicant shall pay the fire service infrastructure development fee.
- (c) The applicant shall handover the area effecting under 24.0 mtrs road as per notified master plan, area to local authority on free of cost on the same road is proposed 30 mtrs wide as per revised master plan 2020 the area effected under road to local authority.
- (d) The applicant shall ensure to all the conditions mentioned in G.O. 86, 171, 623 respectively.
- (e) The applicant should provide STP line.
- (f) A copy/sat of building permission plans shall be furnished to air force authority and defence authority for kind information and necessary action.
- (g) The applicant shall mortgage the 10% built up area (or) ground floor, first and second floor area which ever in less as per G.O. 623 MA. Dt.1-12-2006 in favour of commissioner, Alwal Municipality as per Rule 20(c ) of G.O. 623 MA dt. 1-12-2006.
- (h) The applicant shall shifted all the Electrical power lines, existing on the ground all along the 12 Mtrs and 9 mtrs road before release of sanction plans.
- (i) The applicant shall maintain 2-0 mtrs wide storm water drain wi9th green belt all along boundary line as shown in plan.

Yours faithfully,

Sd/-

Vice-Chairman.

// t.c.f.b.o//

Divi. Admn., Officer. (Plg)



21 ②

P3

PROCEEDINGS OF THE MUNICIPAL COMMISSIONER, ALWAL MUNICIPALITY



Proceedings No. G1/575/BA/573/07

Date: 31.03.2007.

Sub:- Building permission - Sanction for Construction of Residential Apartments Still + 5 floors in Sy.Nos. 9(P)10,11,12,13 (P), 14 to 21, 27, 28, 29(P) of Mahadevpur (V), Malkajgiri (M) Covered by Alwal Municipality - Regarding.

- Ref:- 1. Application of M/s. Janapriya Engineers Syndicate & Others Dt.28.02.2007.
- 2. Powers delegated BY HUDA to the Municipal Commissioner, Alwal Municipality vide Lt.No.4688/MP/HUDA/87/P1, dt.02.04.1987.
- 3. V.C. HUDA Lt.No.2809/P4/Plg/HUDA/2007, Dt.28.03.2007.

ORDER:

Mahadevpur (V)  
ref/13

Sanction is hereby accorded for the construction of Residential Apartments Still + 5 floors in Sy.Nos. 9(P)10,11,12,13 (P), 14 to 21, 27, 28, 29(P) of Mahadevpur (V), Malkajgiri (M) In Covered by Alwal Municipality as per provisions of section 14 of A.P. Urban Areas (Development) Act 1975 and as per the provision of Municipalities Act 1965. The permission is released as per the plans technically approved by HUDA subject to the following conditions as imposed by the Vice-Chairman, HUDA vide reference 3<sup>rd</sup> cited.

1. This permission is valid up to 30.03.2010 if the building is commenced within the one year from the date of issue of permission.
2. The construction shall be undertaken as per sanctioned plan only and deviation from the sanctioned plan will not be permitted without prior sanction. Any deviation done against the plan/regulations is liable for demolition.
3. The sanctioned plan shall be kept at the work spot and produced for verification whenever required by the inspecting officers of the Municipality/HUDA.
4. This permit will be neither establish the title of ownership nor effect the ownership over the land/Building.
5. This is only Municipal Sanction for construction without prejudice to any body's Civil right over the land.
6. This permission does not bar the application of provisions of Urban Land Ceiling and Regulations Act, 1976.
7. With regard to water supply, Drainage's & Sewerage disposal system to be provided/facilitated to the proposed building, the applicant/owner shall ensure the following.
  - a) The location of water supply & Sewerage disposal source are to be at appropriate distance within the site preferably at 100 mts. distance to avoid contamination.
  - b) The depth of the bore & size shall be limited to the minimum depth & size of existing nearby bore well. Water shall be disinfected by adding 200 mg/l solution to maintain 0.3 to 0.4 Ppm of residual chlorine at the pump/overhead tanks.
  - c) Where main Municipal drain is not available at the site, provide for the treated sewerage to the nearest sewer line by laying & sewer line of diameter ranging from 200mm.





PROCEEDINGS OF THE MUNICIPAL COMMISSIONER, ALWAL MUNICIPALITY  
RANGA REDDY DISTRICT

Present : Sri V. Manohar, B.Sc.,  
Commissioner

Proceedings No.G1/575/BA/573/07

Date: 31.03.2007

Sub: Building permission - Sanction for Construction of Residential Apartments Stilt + 5 floors in Sy.Nos.9 (P), 10, 11, 12, 13 (P), 14 to 21, 27, 28, 29 (P) of Mahadevpur (V), Malkajiri (M) covered by Alwal Municipality - Regarding.

- Ref:
1. Application of M/s Janapriya Engineers Syndicate & Others dt. 28.02.2007.
  2. Powers delegated by HUDA to the Municipal Commissioner, Alwal Municipality vide Lr.No.4688/MP/HUDA/87/P1, dt. 02.04.1987
  3. V.C. HUDA Lr.No.2809/P4/Plg/HUDA/2007, dt. 28.03.2007.

\*\*\*\*\*

**ORDER:**

Sanction is hereby accorded for the construction of Residential Apartments Stilt + 5 floors in Sy.Nos.9 (P), 10, 11, 12, 13 (P), 14 to 21, 27, 28, 29 (P) of Mahadevpur (V), Malkajiri (M) covered by Alwal Municipality as per provision of Section 14 of AP Urban Areas (Development) Act 1975 and as per the provision of Municipalities Act, 1965. The permission is released as per the plans technically approved by HUDA subject to the followings conditions as imposed by the Vice-Chairman, HUDA vide reference 3<sup>rd</sup> cited.

1. This permission is valid upto 30.03.2010 if the building is commenced within the one year from the date of issue of permission.
2. The construction shall be undertaken as per sanctioned plan only and deviation from the sanctioned plan will not be permitted without prior sanction. Any deviation done against the plan/regulations is liable for any demolition.
3. The sanctioned plan shall be kept at the works pot and produced for verification whenever required by the inspecting officers of the Municipality/HUDA.
4. This permit will be neither establish the title of ownership nor effect the ownership over the land/Building.
5. This is only Municipal Sanction for construction without prejudice to any body's Civil right over the land.
6. This permission does not bar the application of provisions of Urban Land Ceiling and Regulations Act, 1976.
7. With regard to Water Supply, Drainage's & Sewerage disposal system to be provided/facilitated to the proposed building. The applicant/builder shall ensure the following.
8. The location of water supply and sewerage disposal source are to appropriate distance within the preferably at 100 mts of avoid contamination.
9. The depth of the bore and size shall be limited to the minimum depth of existing whereby bore well water shall be disinfected by adding and solution to maintain 0.3 to 0.4 pm of residual chlorine sump/over head tanks.
10. Where main Municipal drainage and water on site, providing for by laying and sewerage.



25

- iv) In case where such Municipal drain not exist, provide for connecting the treated sewerage overflow to a natural drain or nala with a sewer pipe of diameter 150mm (3&4).
  - v) Before allowing the over flow mentioned in above, ensure the sewerage of the proposed building is invariably let into a common septic tank constructed as per ISI standards & specification ISI Code No.2470 of 1985 and constructed with a fixed contact bed, duly covered & ventilated for primary treatment. The applicant/builder shall ensure that no effluent/drainage over flows on the road public place, for with they are liable for criminal charges.
  - vi) To prevent chokage of sewers/drains, the fast inspection chamber within the site/premises shall be provided with safety pads/gates.
  - vii) The party should clean the septic tank periodically by themselves, and cart away the sludge, etc., to an unobjectionable place.
  - viii) All the above shall be supervised and inspected by the applicant/builder concerned for compliance during the construction stage.
  - ix) Since eventually the public sewerage and water supply systems are expected to be systematically added/extended by the Hyderabad Metropolitan Water Supply & Sewerage Board to the outlying areas of Hyderabad, the proposed building owners shall pay proportionate pro-rata charges to H.M.W.S & S.B.
8. The applicant/builder should ensure that the minimum width of approach roads wherever applicable as indicated in the technically approved plans and areas affected in the road widening is developed and maintained as Block Topped Road with proper camber etc.,
  9. The applicant/builder shall ensure that the structures in the site under reference state wise and also give a certificate on completion that the building is structurally in all respects fit for occupation. The builder should produce certificate stage-wise from the approved structural Engineer in this regard. The Municipality does not has any role with respect to structural stability or building.
  10. The Applicant/Builder shall ensure that the proposed building/complex constructed strictly as per the technically approved building plans mandatory inspection shall be made by the officials at foundation stage, plinth level and first floor and subsequent floor level as required under G.O.Ms.No.423 M.A. dated 31.07.1998. No deviations, misuse or violation of minimum setbacks, common parking floor/stilt floor marking/violation and other balcony projections shall not be allowed.
  11. The Applicant/Builder shall ensure that all fire Safety Requirements are complied in accordance with the National Building Code, 1983.
  12. The Applicant/Builder shall ensure plants trees and maintain them in the periphery of his site and along the abutting roads, as avenue plantation to the extent of his site at a distance of 4 meters between each tree.
  13. The Applicant/Builder shall be allowed the proposed building complex to be occupied used or otherwise let out etc., only after.
    - i) The proposed building is completed in accordance with the technically approved building plans;
    - ii) After ensuring the conditions with regard to water supply and sewerage disposal system as mentioned in the above are completed to the satisfaction of the Municipal Commissioner/Executive Authority
    - iii) After issuing a "Fit For Occupancy" certificate by the Municipal Commissioner/Executive Authority, as required under Government order No.248 M.A. dated 23.05.1996.
    - iv) The Developer/Builder shall display a board at a prominent place at the site which shall show the plans and specify the conditions mentioned in the office letter, so as to facilitate public information.



- v) That the applicant is responsible for structural safety and the safety requirement in accordance with the of national Building code of 1993.
  - viii) The applicant shall develop Rain Water harvesting structures in the site under reference as per brochure enclosed.
  - ix) That the applicant should erect temporary scheme to avoid spilling of materials outside the plot during construction to stop environmental pollution to ensure safety and security of the pedestrians and neighbours.
  - x) That the applicant shall made provisions for erection of Transformer and Garbage house within the premises.
  - xi) That the applicant/builder/developer shall not keep their construction materials/debris on public road.
  - xii) That the applicant should ensure to submit a compliance report to HUDA soon after completion of first floor roof level and then all the roofs are laid so as to enable to permit him to proceed further, by inspection of site;
  - xiii) That the stilts/Cellar should be exclusively used for parking of vehicles without any partition walls and Rolling shutters and the same should not be converted or the undertaking dated.
  - xiv) It is also hereby directed that the copy of approved plan as released by HUDA and local authority would be displayed at the construction site for public view.
  - xv) That the construction should be made strictly in accordance with this sanctioned plan. If any modifications are necessary prior approval should be obtained.
  - xvi) That the applicant shall obtain clearance from A.P. Fire Services Department for the proposed complex under the provisions of A.P. Fire Services Act 1994.
  - xvii) This permission does not bar any public agency including HUDA/HADA/CDA to acquire the lands for public purpose as per law.
- 16) The Owner/Developers shall ensure the safety of construction workers.
  - 17) The Owner/Developers shall ensure it comprehensive insurance policy of construction workers for the duration of construction.
  - 18) In large projects where it is proposed to temporarily house the construction workers on the site, proper hygienic temporary shelter with drinking water and sanitary measures shall be provided.
  - 19) The Owner/Developers shall be responsible for the safety of construction workers.
  - 20) If in case above said conditions are not adhered, HUDA / Local Authority can withdraw the said permission.
  - 21) Owner/Developer shall be responsible to provide all necessary Fire Fighting Installations as stipulated in National Building Code of India, 2005 like:
    - a) To provide one entry and one exit to the premises with a minimum width of 4.5 mtrs and height clearance of 5 mtrs.
    - b) Provide Fire resistant swing door for all the collapsible lifts in all floors
    - c) Provide Generator, as alternate source of electric supply.
    - d) Emergency Lighting in corridor/ common passages and stair cases.
    - e) Two numbers water type fire extinguishers for every 600 Sq Mtr. of area with minimum of four numbers fire extinguishers per floor and 5 kg DCP extinguishers minimum 2 Nos. each at Generator and Transformer area shall be provide as per I.S.I. Specification No. 2190-1992.
    - f) Manually operated and alarm system in the entire buildings;
    - g) ~~Separate~~ Underground static water storage tank capacity of 25,000 lit capacity
    - h) separate Terrace tank of 25,000 lit capacity for Residential building
    - i) Red Down Corner.

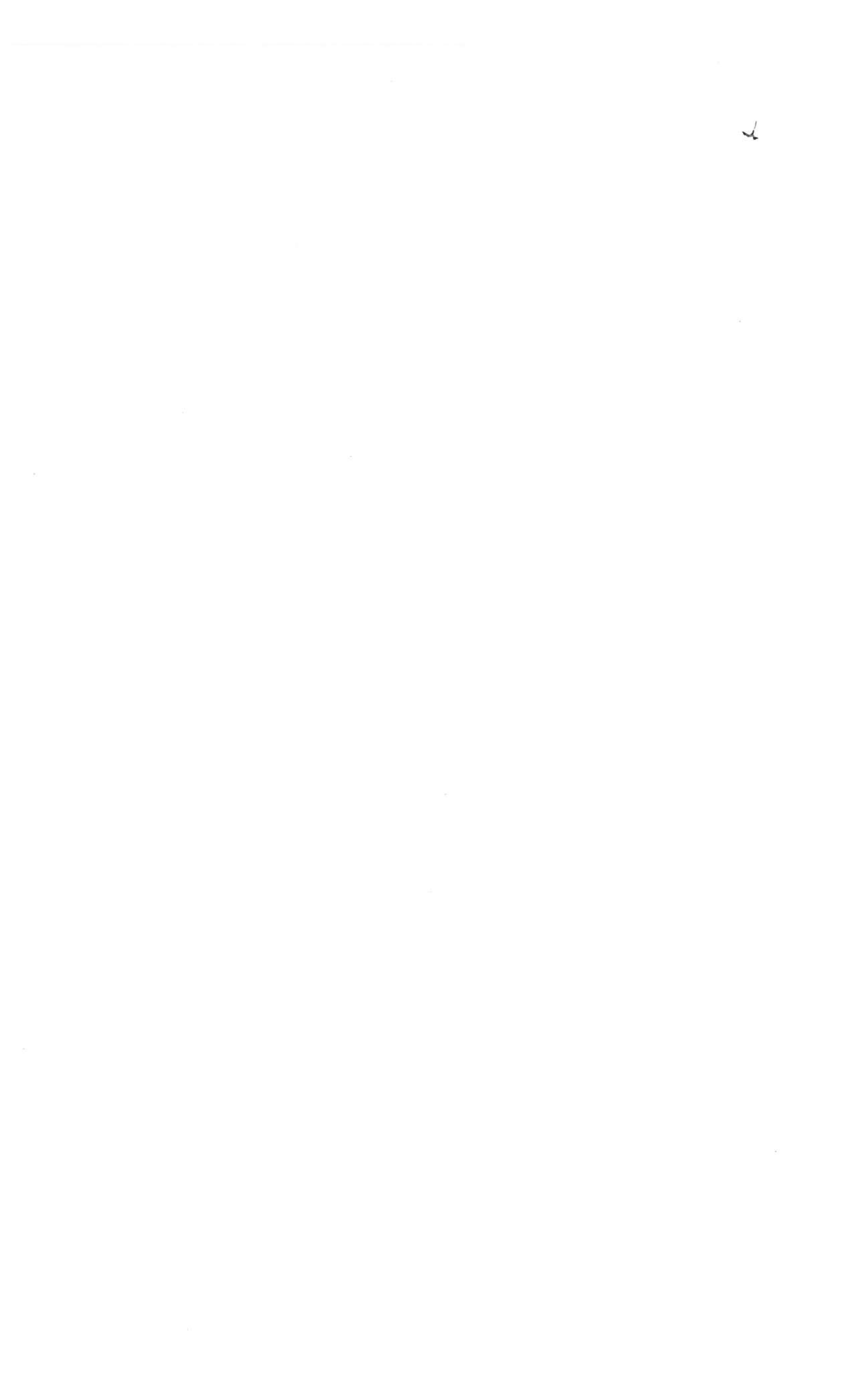


25

- j) Automatic Sprinkler system is to be provided if the basement area exceeds 200 Sq.mtrs.
  - k) Electrical wiring and installation shall be certified by the electrical engineers to ensure electrical fire safety.
  - l) Transformers shall be protected with 4 hours rating fire resistant constructions as per Rule 15 (c) of A.P. Apartments (Promotion of construction and ownership) rules, 1987.
  - m) To create a joint open spaces with the neighboring building / premises for maneuverability of fire vehicles. No parking or any constructions shall be made in setbacks area.
- 22) The Applicant shall ensure to all conditions maintain in G.O. No. 86, 171, 623 respectively.
- 23) The Applicant should provide STP Line.
- 24) The Applicant has Mortgaged the 10% built up area i.e., 10328.27 Sqmts in 2nd Floor area in Blocks A,B,C and D as per G.O. No. 623 MA, dated 01.12.2006 in favour of Commissioner, Alwal Municipality as per rule 20 (c) of G.O. No. 623 MA, dated 01.12.2006.
- 25) The Applicant/Builder shall shift all the Electrical Power lines existing on the ground all along the 12 mts to 9 mts road before commencement of construction work.
- 26) The Applicant/Builder shall construct and maintain 2mts wide storm water drain with green belt all along boundary line as shown in the plan.

*[Handwritten Signature]*  
 31/3/07  
 Commissioner  
 Alwal Municipality  
*[Handwritten initials]* 31/3  
*[Handwritten initials]* 31/3  
*[Handwritten initials]* 31/3

To  
 M/s. Janapriya Engineer Syndicate & Others  
 H.No. 3-6-115/A,  
 Himayat Nagar,  
 HYDERABAD.





26

P4

9

**GOVERNMENT OF ANDHRA PRADESH  
A B S T R A C T**

Municipal Administration and Urban Development Department - Amendments to Revised Common Building Rules, 2006 - Orders Issued.

**MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (M) DEPARTMENT**

G.O. Ms.No.171

Dated: 19<sup>th</sup> April, 2006  
Read the Following-

1. G.O.Ms.No.86 MA&UD Department., dt:3.3.2006  
-- o0o --

**ORDER:**

In the reference 1<sup>st</sup> read above, Revised Common Building Rules were issued which are applicable to the areas covered by Municipal Corporation of Hyderabad, Hyderabad Urban Development Authority, Hyderabad Airport Development Authority, Cyberabad Development Authority and Buddha Purnima Project Authority.

After issue of above orders, the Builders Association, the Fire Service Department and various other bodies and organizations have given certain suggestions for making certain minor amendments to the said revised building rules so as to make these rules more clear, easy to comprehend, user-friendly, promoting various types of development and building activities, besides giving design freedom and choice with optimum usage of land on one hand, and reducing the trend of violations and un-authorized constructions on the other, without compromising on the community good.

After careful examination of all the suggestions made by the Builders Association, the Fire Service Department and other bodies and organizations, Government hereby issue the following notification amending the Revised Common building Rules, 2006 to the extent given below and the same will be published in Andhra Pradesh Extraordinary Gazette dated 20.4.2006.

A copy of this Order is available on the Internet and can be accessed at the address <http://apts.gov.in/apgos>.

**NOTIFICATION**  
**AMENDMENT TO G.O.Ms.No.86 MA, dt:3.3.2006**

1. Rule 5 (g) of G.O.Ms.No.86 MA, dt:3.3.2006 shall be read as follows :  
"In case of Banjara Hills, Jubilee-Hills area covered by Block 1 & 2, and part of Block No.3 of Ward No.8, Municipal Corporation of Hyderabad area, the building restrictions imposed vide GOMs.No.601 MA, dt:5.11.1938 read with GOMs.No.423 MA, dt:31.7.98 would be applicable. The set-backs and Parking requirements shall be as per these Rules in such areas".
2. The foot note 1 of Table III under Rule 7 shall be read as follows :  
"Stilt parking floor permissible is exclusive of height of building upto 15 m height of stilt floor shall not exceed 3.0 mts."
3. Part of the Table III in (A) OLD CITY / CONGESTED AREAS [Category-I as given in Annexure-I] under plot range "Above 750 sq.mts." shall read as follows:

Above 750	Stilt + Upto 2 Cellars allowed **	12	1.5	3.0	4.5	6.0	6	6
-----------	-----------------------------------	----	-----	-----	-----	-----	---	---



27

And in (B) EXISTING AREAS / NEW DEVELOPMENT AREAS / LAYOUT AREAS (including Category-II \*\*\* of Annexure-I) under plot range "Above 750 & upto 1500" shall read as follows:

Above 750 & Upto 1500	Stilt + 2 Cellars allowed **	15	3.0	4.5	6.0	9.0	6	6
-----------------------	------------------------------	----	-----	-----	-----	-----	---	---

4. Rule 7.1 (iii) shall be read as follows:  
The set-backs are to be left after leaving the affected area of the plot / site, if any, for road widening. In respect of owners who surrender land affected in road widening free of cost under GOMs.No.483 MA dt:24.8.1998 would be eligible for concessions in set-backs other than the front set-back.
5. Rule 7.1 (viii) shall be read as follows:  
"For all residential/institutional/industrial plots above 750 sq.mts. in addition to (vi) and (vii) above, 5% of the site area has to be developed as tot-lot /landscaped area and trees planted and maintained. Such organized open space could be in more than one location and shall be of a minimum width of 3 m".
6. Rule 7.2 (v) shall be read as follows:  
"The applicant / builder / developer may provide (optional) for solar water heating system in the building and solar lighting in the site for outdoor lighting within the site".
7. Rule 9.2 shall be read as follows:  
"The minimum size of plot for High Rise building shall be 2000 sq.mts. for buildings in the Skyscraper zone, High Rise buildings between 18 mts. to 36 mts. height shall not be permitted. Normal buildings below 18 mts. height would however be allowed".
8. Rule 9.5 shall be read as follows:  
"Every application to construct or reconstruct a High Rise building or alteration to existing High Rise building shall be made in the prescribed form and accompanied by detailed plans and floor plans of all floors, along with complete set of structural drawings and detailed specifications duly certified by a qualified structural engineer. Necessary prior No Objection Certificate shall be submitted from the Airport Authority (if applicable), and Directorate of Fire Services along with the application".
9. Rule 9.9 (a) shall be read as follows:  
"In every high rise building site, an organized open space shall be utilized as greenery, tot-lot or soft landscaping, etc. shall be provided over and above the mandatory open spaces to be left in and around the building. This space shall be at least 10% of total site area and shall be of a minimum width of 3 mts. This may be in one or more pockets".
10. Rule 10.7(b) shall be read as follows:  
"Common amenities and facilities like shopping center, community hall or center / club house etc., are required to be provided in up to 5% of the area and shall be planned and developed in cases where the units are above 100 in number and not be part of the residential blocks".
11. Rule 10.8(e) shall be read as follows:  
"Height permissible : 2 floor or 6mt. for plots upto 125 Sq.mts.  
Ground + 2 floors for plots above 125 Sq.mts. for row houses".



12. Rule 14[2] shall be read as follows:

"Upon surrendering such affected area, the owner of the site would be entitled to a Transferable Development Right (TDR) as given in Rule 15 below.

OR

the owner shall be allowed to construct an extra floor with an equivalent builtup area for the area surrendered, subject to mandated public safety requirements.

OR

the owner shall be allowed to avail relaxations as per G.O.Ms.No.483, M.A., Dt:24.8.1998 (incentives to owners who surrender land affected in road widening free of cost) and concessions under this G.O. shall not be considered for the front setback or building line. In respect of High-Rise Buildings, the concessions in setbacks other than the front setback would be considered subject to maintaining a clear setback of 6mts. on remaining sides as required by the Fire Services Department".

13. Rule 17 shall be read as follows:

**CITY LEVEL INFRASTRUCTURE IMPACT FEES APPLICABLE IN CERTAIN CASES:**

a. With a view to ensuring development of City Level Infrastructure facilities and levy of Impact Fees, buildings are categorized as follows:

Type I : Building up to height 15mt. excluding stilt parking floor.

Type II : Buildings of height above 15mts. (excluding stilt floor)

The City Level Infrastructure Impact Fees would be levied for Buildings under Type II above as follows:

?? First 15mts. or 5 floors (whichever is less) : No levy of Impact fee

?? For any additional floors or part thereof : at differential rates specified in Table below:

Occupancy / Use	Height of Building (in meters) and rate in Rs. per Sq.mts. of built up area.			
	Above 15m & upto 21m	Above 21m & upto 30m	Above 30m & upto 50m	Above 50m
Residential	Municipal Corporation Areas			
	500	750	1500	3000
	Other areas of UDA Area			
	250	500	1000	2000
Commercial, Offices, ITES	Municipal Corporation Areas			
	1000	1500	2500	5000
	Other areas of UDA Area			
	500	1000	2000	4000
Institutional, Educational & others (except Industrial Sheds)	Municipal Corporation Areas			
	300	500	1000	2000
	Other areas of UDA Area			
	100	200	400	800

(1) In MCH and CDA area Impact Fee shall be collected as per the above rates. In case of HADA area 50% of the above rates shall be levied while in respect of HUDA area i.e. other than MCH and CDA area 75% other above rates shall be levied.



- (2) Alternatively, the owner may be allowed to utilize TDR given in Rule 14 above, for such built up area to the extent permissible wholly or use the same in combination of both TDR and the differential impact fee for the proposed additional builtup area that is permissible under these Rules / Provisions. The Government may revise the above rates from time to time.
- (3) The above rates shall not be applicable for Government Departments and public agencies like Urban Development Authority, APIIC, Local Bodies and HMWS&SB.
- (4) The amount levied and collected under above Rule shall be credited and maintained in a separate escrow account by the concerned sanctioning authority and 50 utilised for development of infrastructure in the area. In Infrastructure Plan and Action Plan for implementation is required to be undertaken by the Competent authority and the said Fund utilized accordingly.
- (5) The Premium on F.A.R. charges leviable in CDA area is dispensed with.]

(14) Rule 19(b) shall be read as follows:  
 "No fees and charges would be levied for parking spaces provided in any floor".

(15) Rule 20(a) shall be read as follows:  
 "The owner and builder / developer shall give an Affidavit duly notarized to the effect that in the case of any violation from the sanctioned building plan, the Enforcement Authority can summarily demolish the violated portion. In respect of Apartment Buildings, the owner or builder shall give a Declaration duly specifying the number of floors permitted, along with the extent of each floor. In case of any violation with regard to the Declaration, the Enforcement Authority can demolish the violations".

(16) Rule 20(c), shall be read as follows:  
 "The owner is required to hand over the ground floor area or first floor or the second floor area, as the case may be, to the sanctioning authority by way of a Notarised Affidavit and after the setbacks and open spaces are demarcated on the site. The Notarised Affidavit shall be got entered by the sanctioning authority in the Prohibitory Property Watch Register of the Registration Department. Then only the Building sanction will be released and the owner shall be allowed to commence the construction.

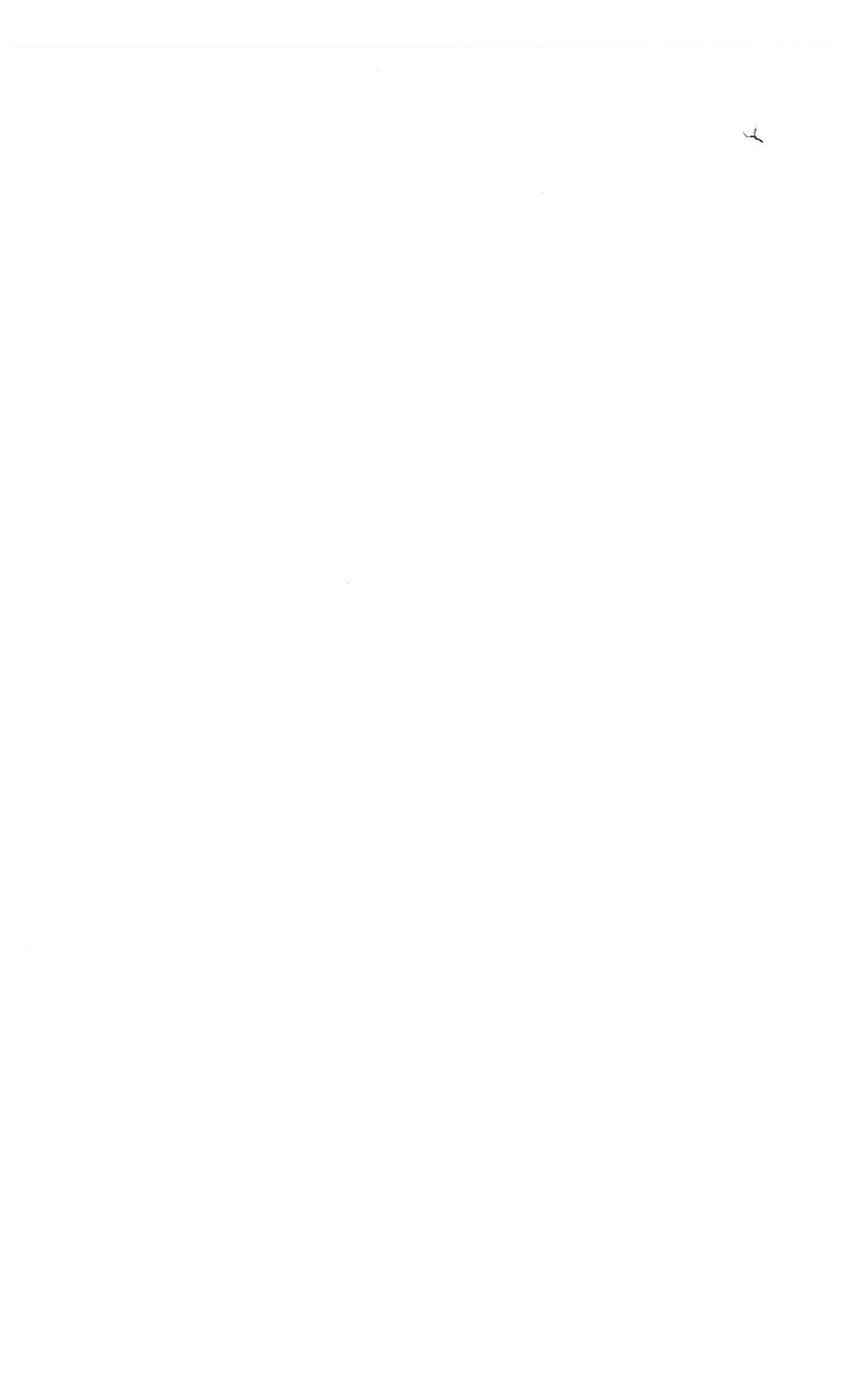
The system of taking a Security Deposit is dispensed with.

?? However, in respect of gated development schemes like row houses / independent houses / cluster housing / residential enclaves, 5% of the Units shall be handed over to sanctioning authority.

?? Individual buildings in plots upto 200Sq.mts. height up to 6mts. and industrial buildings are exempted from the above condition.

(17) Rule 21(i) shall be read as follows:

"Occupancy Certificate shall be mandatory for all buildings. No person shall occupy or allow any other person to occupy any building for any purpose





30

unless such building has been granted an Occupancy Certificate by the Sanctioning Authority. Partial Occupancy Certificate may be considered by the sanctioning authority on merits i.e. flats / units or area within a Complex which have fulfilled all the requirements in addition to basic facilities like lifts, water supply, sanitation, drainage, roads, common lighting, etc.

However, in respect of individual buildings in plots upto 200 Sq.mts. with height upto 6mts. and industrial buildings obtaining Occupancy Certificate is optional.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

T. Chatterjee,  
Principal Secretary to Government

To

The Commissioner, Printing, Stationary and Stores, Purchase, Hyderabad.  
(with a request to public in the extraordinary Gazette of AP on 4.3.06 and furnish 1000 copies to Government).

The Commissioner, Municipal Corporation of Hyderabad, Hyderabad.

The Vice Chairman, Hyderabad Urban Development Authority, Hyderabad.

The Vice Chairman, Cyberabad Development Authority, Hyderabad.

The Vice Chairman, Hyderabad Airport Development Authority, Hyderabad.

The Vice Chairman, Buddha Purnima Project Authority, Hyderabad.

The Director of Town and Country Planning, Hyderabad.

All Departments of Secretariat.

All Heads of Department.

The Director General, Fire Services, Hyderabad.

The Chairman and Managing Director, APTRANSCO, Hyderabad.

The Managing Director, HMWS&SB, Hyderabad.

The Managing Director, APIIC, Hyderabad.

The Engineer-in-Chief (Public Health), Hyderabad.

The Commissioner, L.B. Nagar / Kukatpally / Malkajgiri / Kapra / Uppal Kalan /  
Qutubullahpur / Alwal / Rajendranagar / Serilingampally / Gaddiannaram /  
Ramachandranpuram / Patancheru.

The Commissioner and I.G. of Registration and Stamps, Hyderabad.

The Managing Director, A.P.Housing Board, Hyderabad.

The District Collector, Hyderabad District, Hyderabad.

The District Collector, Ranga Reddy District, Hyderabad.

The District Collector, Medak District, Sangareddy.

Copy to:

The Special Secretary to Hon'ble Chief Minister.

The P.S. to M (MA & UD).

The P.S. to Secretary to Government, MA. & UD.

Sf/Sc

//Forwarded By Order //

Section Officer



⑥ 31 P5

GOVERNMENT OF ANDHRA PRADESH

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (M) DEPARTMENT

Memo No. 6349/M/2006-10

Dated : 22-11-2006

Sub :- MA & UD Deptt - Common Building Rules, 2006 - G.O. Ms. No. 86, M.A. & UD (M) Deptt., Dt. 3-3-2006 - Certain clarification issued - Reg.

- Ref :-
- 1) G.O.Ms. No. 86, MA & UD (M) Deptt., Dt. 3-3-2006.
  - 2) G.O.Ms.No. 171, MA & UD (M) Deptt., Dt 19-4-2006.
  - 3) Memo No. 6349/M/2006-6, Dt. 5-9-2006.
  - 4) From the Vice Chairman, Cyberabad Development Authority Lr. No. 5420/CDA/H/Misc./2006 Dt. 18-10-2006.

— ooo —

In the reference 3rd cited, the Vice Chairman, Cyberabad Development Authority has sought certain clarifications on the G.O.Ms.No. 86, MA&UD(M) Deptt., Dt. 3-3-2006 and the same have been clarified as detailed in the Annexure.

2. The Commissioner, Municipal Corporation of Hyderabad, Vice Chairman, Hyderabad Urban Development Authority / Cyberabad Development Authority / Airport Development Authority and the Commissioners of surrounding 12 Municipalities are directed to take further action accordingly.

S.P. SINGH

Secretary to Government

To

The Commissioner  
Municipal Corporation of Hyderabad, Hyderabad  
The Vice Chairman,  
Hyderabad Urban Development Authority, Hyderabad.  
The Vice Chairman,  
Cyberabad Development Authority, Hyderabad.  
The Vice Chairman, Airport Development Authority, Hyderabad.  
The Commissioners of surrounding Municipalities.  
The Director of Town & Country Planning, Hyderabad.

Copy to :

The P.S. to M(MA)  
The P.S. to Secretary to Govt. MA & UD Deptt.

//FORWARDED::BY ORDER//

SECTION OFFICER



EXURE TO MEMO No. 6349/M/2006-10, Dt. 21-11-2006 (Clarification to G.O.Ms.No. 86, MA & UD (M) Deptt., Dt. 3-3-2006)

Sl. No.	Point / Issue raised.	Remarks / Clarification
1	To re-consider the plotted restriction in respect of Gated housing development/ Group housing development restricting the plotted Area to 60%	Not be agreed to. Gated Development Schemes are different from the traditional layout Schemes wherein such restriction on plotted area exists in the layout regulations. In gated development schemes, the internal road facilities are meant for the utilization of the colony / Scheme only and as such are not public thoroughfares. The Building Rules are clear that there is no restriction on plotted area, but such Schemes shall be governed with good design practices, proper development of amenities and facilities with ample open spaces and greenery and whole Scheme has to be developed in an integrated manner and designed by registered architects. Hence the instructions issued vide Memo No. 6349/M/2006, Dt. 5-9-2006 hold good.
2.	Whether to insist in Group Housing Schemes / gated Development schemes/layout Outs with housing units, only 5% of building unit as mortgage or this should be in addition to 25% mortgage being insisted in layouts ?	Only 5% of the building units should be insisted as Mortgage in all such Schemes including layouts Developed with housing units as per approved type Designs.
3.	To reconsider levying only Initial scrutiny fee of only 2% or Rs. 10,000/- at the time of application.	The provision of Rule 19 holds good and is reiterated and Vice Chairman, Cyberabad Development Authority / Hyderabad Urban Development Authority / Hyderabad Airport Development Authority / Buddha Purnima Project Authority is instructed to levy only 2% or maximum of Rs. 10,000 as initial scrutiny fee at the time of receiving applications.
4.	To reconsider provision of Exempting parking area from levy of fees and charges as there would be considerable financial loss to UDA/local bodies.	Not agreed to and the provisions / instructions hold good. This is to encourage parking in buildings.



33

53

Sl. No.	Point / Issue raised	Remarks / Clarification
5.	Greening/landscaping provision all along the periphery Of site of 2m strip may be Deleted as this would conflict with 1.5m space too be Required for cellar and instead of give freedom of Greeing to builder.	Not agreed to and the provisions of Common Building Rules hold good as adequate freedom is Given to builder to go in for combination of soft and hard landscaping / greenery which need to be planned and maintained in the site as per guide-lines given in National Building Code.
6.	To clarify whether to allow Cellar from building line Instead of of 1.5m so as to take care of any future Road widening.	The provisions of the Common Building Rules, viz.. Allowing cellar from 1.5m from property line even in case of front open space holds good.
7.	Clarification on Rule 7 Table III and Rule 10 (requirements For group housing schemes / Group development Schmes and gated development Schemes)	There is no conflict between Rule 7 and Rule 10. Table III of Rule 7 is applicalble to only individual buildings or Blocks. While Rule 10 is applicable for all group development schemes like group housing Schemes/gated Development schemes etc. Thus, for group housing Schemes/Group Development Schemes and gated Development schemes provisions of Rule 10 are to be applied.

S.P. SINGH  
Secretary to Government

//FORWARDED::BY ORDER//

SECTION OFFICER





EXCURE TO MEMO NO. 6349/M/2006-10, DT. 21-11-2006 (Clarification to G.O.Ms. No. 86, MA & UD(M) Deptt. Dt.3-3-2006

Sl. No.	Point /Issue raised	Remarks/ Clarification
1	To re-consider the plotted <del>restriction</del> in respect of Gated housing development Group housing development restricting the plotted area to 60%	Not be agreed to gated development schemes are different from the traditional layout schemes wherein such restriction on plotted area exists in the layout regulations. In gated development schemes the internal road facilities are meant for the utilization of the colony/schemes only and as such are not public thoroughfares. The building rules are clear that there is no restriction or plotted area, but such schemes shall be governed with good design practices, proper development of amenities and facilities with ample open spaces and greenery and whole scheme has to be developed in an integrated manner and designed by registered architects. Hence the instructions issued vide Memo No. 6349/M1/2006 dated 5-9-2006 hold good.
2	Whether to insist in group housing schemes/gated development schemes/layouts with housing units, only 5% of building unit as mortgage or this should be in addition to 25% mortgage being insisted in layouts?	Only 5% of the building units should be insisted as mortgage in all such schemes including layouts developed with housing units as per approved type designs.
3	To reconsider levying only initial scrutiny fee of only 2% or Rs.10,000/- at the time of application	The provision of Rule 19 holds good and is reiterated and Vice Chairman, Cyberabad Development Authority/ Hyderabad Air Port Development Authority/ Buddha Purnima project authority is instructed to levy only 2% or maximum of Rs.10,000/- as initial scrutiny fee at the time of receiving applications
4	To reconsider provision of exempting parking area from levy of fees and charges as there would be considerable financial loss UDA local bodies	Not agreed to and the provisions/ instructions hold good. This is to encourage parking in building.



35

Sl. No.	Point /Issue raised	Remarks/ Clarification
5	Greening /landscaping provision all along the periphery of site of 2M strip may be deleted as this would conflict with 1.5M space too be required for cellar and instead of give freedom of greening to builder.	Not agreed to and the provisions of common building rules hold good as adequate freedom is given to builder to go in for combination of soft and hard landscaping /greenery which need to be planned and maintained in the site as per guidelines given in National Building Code.
6	To clarify whether to allow cellar from building line instead of 1.5M so as to take care of any future Road widening.	The provisions of the Common building rules, viz., allowing cellar from 1.5 M from property line even in case of from open space holds good.
7	Clarification on rule 7 table III and rule 10 (requirements for group housing schemes/ group development schemes and gated development schemes)	There is no conflict between rule 7 and rule 10. The table III of rule 7 is applicable to only individual buildings or blocks. While rule 10 is applicable for all group development schemes like group housing schemes etc., thus, for group housing schemes/group development schemes and gated development schemes provisions of Rule 10 are to be applied.

S.P. SINGH

Secretary to Government

// FORWARDED: BY ORDER //

SECTION OFFICER





36 PB  
**JANAPRIYA ARCADIA FLAT OWNERS WELFARE ASSOCIATION**

(Regd. No. 1351/2010)

MAHADEVPUR, KOWKOOR, BOLLARUM POST, SECUNDERABAD 500 010.

President :

S. Rengan

Vice President :

T. Ravikumar

General Secretary :

A. Srinivasa Rao

Joint Secretaries :

Ajay Gangadhar

Dr. Murthy V.R.K. Moturu

Prakash Ojha

Treasurer :

K.V. Venkateswaran

Members :

Dr. P. Radhakrishnanand

Raja Biswas

Ashok G.B.

Thirtha Bhattacharya

Y. Murali Krishna Rao

Letter No.JAFOWA/GHMC/Layout/004/2011

April 08, 2011

9

The Deputy Commissioner  
Greater Hyderabad Municipal Corporation  
Alwal Circle  
Secunderabad.

Sub: Objection to access to adjacent project through the road of existing/ongoing Janapriya Arcadia Project.

Sir,

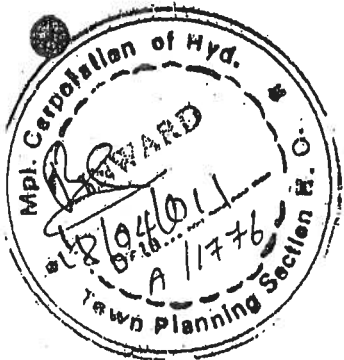
As you are aware, the 'JANAPRIYA ARCADIA' project of the Janapriya Engineers Syndicate Ltd., Hyderabad has come up in Mahadevpur, Kowkooor, Bollaram Post, Secunderabad 500 010 under Alwal Municipal jurisdiction.

The Janapriya Arcadia Flat Owners Welfare Association has been registered to safeguard the interests of the residents.

The Association has noted with grave concern that a layout is coming up adjacent to Janapriya Arcadia Complex and it is also learnt that the road of the Janapriya Arcadia Complex would be utilized as an approach road to this layout.

The then Hyderabad Urban Development Authority, (now Greater Hyderabad Municipal Corporation), Alwal Circle has given approval in its letter No.2809/P4/PLG/H/2007, dated 28.03.2007 and the Commissioner, Alwal Municipality has issued the permission vide Permit No.G1/575/BA/573/2007, dated 31.03.2007 for construction of multistoreyed residential buildings by Janapriya Engineers Syndicate Ltd. for their Janapriya Arcadia Project over the land admeasuring 11-Acres and 32.22 Guntas in Survey Nos. 9, 10, 11, 12/A, 12/AA, 12/E, 13/A, 13/AA, 13/E, 13/EE, 14, 15, 20, 21/A, 21/AA, 27/A, 27/AA, 28/A, 28/AA, 28/E, 29/A, 29/AA, 29/E, and 29/EE situated at Mahadevpur Village, Kowkooor, Alwal Municipality, Malkajgiri Mandal, Rangá Reddy District, under Bollaram Post, Secunderabad 500 010, together with all the flats, blocks, buildings and any other structure built thereon and parks, playgrounds, swimming pool, ways, and

Aho







# JANAPRIYA ARCADIA FLAT OWNERS WELFARE ASSOCIATION

(Regd. No. 1351/2010)

MAHADEVPUR, KOWKOOR, BOLLARUM POST, SECUNDERABAD 500 010.

*President :*

S. Rengan

*Vice President :*

T. Ravikumar

*General Secretary :*

A. Srinivasa Rao

*Joint Secretaries :*

Ajay Gangadhar

Dr. Murthy V.R.K. Moturu

Prakash Ojha

*Treasurer :*

K.V. Venkateswaran

*Members :*

Dr. P. Radhakrishnanand

Raja Biswas

Ashok G.B.

Thirtha Bhattacharya

Y. Murali Krishna Rao

include every right, title, interest, etc., in the said land. A Xerox copy of the approved plan for the existing Janapriya Arcadia Project is enclosed for your kind information and perusal.

The Builder and the Landlords sold the Units/Flats in the existing/ongoing project entitled 'Janapriya Arcadia' on the premise that the venture was a gated-community. All the purchasers acted upon the said feature and purchased their respective Flats. By their own conduct, the Builder and the Landlords are estopped from pleading that they are entitled to use the approach road of the existing/ongoing Janapriya Arcadia for the new proposed layout, which is coming up adjacent to it.

Further, It is very difficult to take security measures for the existing/ongoing Janapriya Arcadia itself. If the Builder and the Landlords are allowed to approach their new proposed layout through the existing/ongoing Janapriya Arcadia, it will be very difficult to provide and monitor security system for the existing/ongoing venture and will pose severe threat to security of the inmates/residents of the existing/ongoing project of Janapriya Arcadia. We, therefore, strongly object and oppose to the proposal of the Builder and the Landlords to use the same approach road of the existing/ongoing project of Janapriya Arcadia for the new proposed layout, which is coming up adjacent to the existing/ongoing venture entitled 'Janapriya Arcadia'.

The Association, therefore, requests you not to approve the new layout if the road of the existing Janapriya Arcadia Complex is proposed to be utilized as an approach road to the new layout.

Thanking you,



Yours truly,

*ASR*  
(A. SRINIVASA RAO)  
General Secretary

Copy to: The Commissioner, GHMC, Hyderabad.  
✓ The Chief City Planner, GHMC, Hyderabad. ✓







# JANAPRIYA ARCADIA FLAT OWNERS WELFARE ASSOCIATION

(Regd. No. 1351/2010)

MAHADEVPUR, KOWKOOR, BOLLARUM POST, SECUNDERABAD 500 010.

THE COMMISSIONER,  
GHMC, Liberty circle,  
HYDERABAD,

Secunderabad  
26-02-2013

Sir,

Sub: Building permission accorded for Construction of Residential Apartments Stilt + 5 floors in Sy Nos 9(P),10,11,12,13(P),14 to 21, 27,28,29(P) of Mahadevpur (V), Kowkooor(V), Malkajgiri (M) covered by Alwal GHMC circle- Work is in progress by the Builder- New layout/ residential enclave consisting of independent houses s adjacent to the approved premises being proposed by the same builder-Objections raised on utilization of access road pertaining to above premises to the proposed new residential enclave-Reg.

1. Ref: 1. HUDA's Planning department Letter No 2809/Plg/P4/HUDA/2007 dated 26.3.2007
2. Commissioner, Alwal Municipality's Proceedings No G1/575/BA/573/07 dated 31.03.2007
3. Our representations stating our objections on the above matter;
  - a) Letter dated 10-01-2011 addressed to D.C. GHMC, Alwal
  - b) Letter No.JAFQWA/GHMC/Layout/004/2011 dated 08-04-2011 addressed to D.C. GHMC, Alwal; under copy to The Commissioner, GHMC, Hyderabad and Chief City Planner, GHMC, Hyderabad
  - c) Letter dated 16-03-2012 addressed to D.C. GHMC, Alwal under copy to Commissioner, North Zone, GHMC: Asst. Commissioner, Planning, GHMC: Chief City Planner, GHMC and Commissioner, GHMC.
  - d) Letter NO. 5/13 dated 04-02-2013 addressed to The Commissioner, GHMC, Hyderabad.

Kindly refer our representation 3<sup>rd</sup> cited (copy enclosed) wherein it was requested you not to allow the builder to treat our access road as public road for his proposed adjacent residential enclave as it is in violation of the Government rules.

We came to know that in spite of our request you have cleared the proposals for proposed residential enclave adjacent to our residential apartments duly considering our Internal 40' main access road as the approach road to the proposed residential enclave.

In this connection, we again have to inform you that the builder/ developer M/s Janapriya Engineers Syndicate, Hyderabad has laid internal main access road of width 12.0m for a length of 355m (out of which 75m length having width of 9m plus 3m storm water drain width) from the 24.0m public road to end of the premises/layout as shown in plan to suit our complex only. The builder has created a joint open space at the end with the adjoining site for mutual use during fire and emergencies as per G.O. Ms No 623, MA&UD(M) Dept dated 1.12.2006. Further the builder has built 2m wide storm drain (outer to outer width of 3m) along the periphery as shown in the approved plan. The effective width of road provided adjacent to storm water drain is 9m only after leaving 3m storm water drain.



39

It is informed that M/s Janapriya Engineers Syndicate is not the land owners of our premises as well as newly proposed residential enclave, but they are developers only. The builder / developer had not planned the residential enclave earlier along with our premises, otherwise he would have constructed the main road to suit the requirement of both the premises i.e. apartments & Independent houses. If both the premises are clubbed then the length of the access road will be more than 500 m. Then the width of the access road should be 25.0m as per huda regulations (copy enclosed) given in official website. He has laid the access road to suit our premises requirements only i.e. for apartments as per G.O. Ms No 86 and even he has reduced the width of road to 9m at adjacent to storm water drain as shown in plan. As such the builder is not entitled to use our internal main access road of width 12.0m for proposed residential enclave.

Further it is informed that the flood water from the upside Bharatnagar lake is entering our premises due to joint open space left over and insufficient width of 2m storm water drain provided along the periphery. The Nala width on downstream side of our premises is above 6.0m as shown in plan. As per clause 5 of G.O.Ms.No 86 (page 6), the builder has to leave 2m from the defined boundary of Nala. He has not left the 2m space, but he has converted the Nala (6m width) as a storm water drain (of only 2m width) and reduced the effective road width to 9.0m as against of 12.0m approved in plan. This width is not sufficient to drain off flood water. As a result our premise is being flooded during rains (photographs enclosed). Also, as per clause 3 of latest building rules 2012, no building activity is permitted within 2m from the defined boundary of Nala. Even as per the latest building rules 2012, the effective road width comes to 4m only after leaving 6m nala along with 2m setback (i.e. 12m-6m-2m). As such our access road cannot be utilized for any activity.

It is informed that utilizing of our internal main access road of width 12.0m as the access road for proposed new residential enclave adjacent to our premises is highly objectionable to us as the access road pertains to our premises only and it can be utilized in case of emergencies like fire only and is not meant for general public use. It is against to the privileged rights of our complex and violation of government rules. Further, there is an exit road opening into Bharat Nagar Area for the proposed new residential enclave. Hence we opine that there is no right of way for the New Enclave through our Gated Premises.

If our access road is considered as public road we along with newly proposed residential enclave residents will suffer lot of problems viz; 1) flooded with storm water coming from upside lake, 2) quarrelling for utilizing the access road, 3) In adequate parking place, 4) traffic interruption due to overcrowding, 5) uncontrolled security/ safety of the residents etc which are few to mention. In view of the above, we are requesting you to look into the matter personally and take favourable decision for not allowing the builder to treat our access road as public road for his proposed adjacent residential enclave. Early action in the matter is solicited.

Thanking you sir  
Yours faithfully,

General Secretary, JAFOWA

Encl: Copies of Plan, HUDA Regulation extract, Builder Advert, Bldg Permission Proceedings of Alwal Municipality and photos of the flooded areas of Arcadia.



40. PB

GREATER HYDERABAD MUNICIPAL CORPORATION  
ALWAL CIRCLE - 16

From  
The Executive Engineer,  
Alwal Circle, GHMC

To  
Sri.K.Srinivasu  
Flat.no.A-531, Janapriya Arcadia  
Mahadevpur, Kowkoor,  
Secunderabad-10

Lr.No.171 /EE/Alwal/GHMC/2014-15, dt:27.12.2014.

Sir,

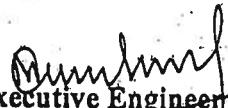
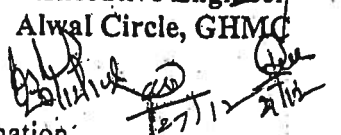
Sub:- Alwal Circle - GHMC - Information under RTI Act - 2005 - Information regarding laying of internal road in Janapriya Arcadia of Kowkoor - Information arranged .

Ref:- Letter No.RTI/171/2014 under RTI Act - 2005 ; Dated:17.12.2014

<<<>>>

It is to inform that there is no proposal with GHMC for laying of internal road i.e from Kowkoor main road to Janapriya Arcadia at present. This is for favour of information.

Yours faithfully

  
Executive Engineer  
Alwal Circle, GHMC  


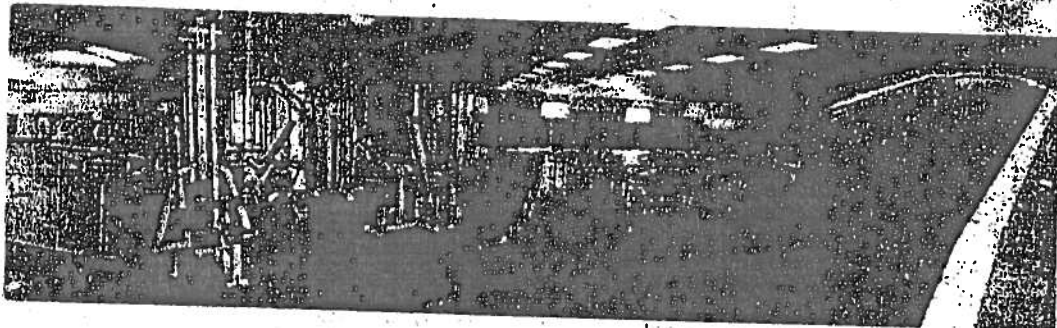
Copy submitted to the Dy. Commissioner, Alwal Circle for information.





10

41



Enquiry

Name

Email

Country

Phone

Projects

Comments/Description

SUBMIT

Amenities

Away from the city's din, minutes from all conveniences – the Best of both Worlds

While the basic ideology of a home is to embrace your spirits with peace of mind and set you free from the grueling work schedules or the pile of next day's tasks, Arcadia completes it all with an impressive array of amenities leading you to one path – owning a home at Arcadia. Isolating you away from the world with a gated community and talking about the real ownership not only within the four walls but even outside with no common walls, here is what you deserve with a home at Arcadia:

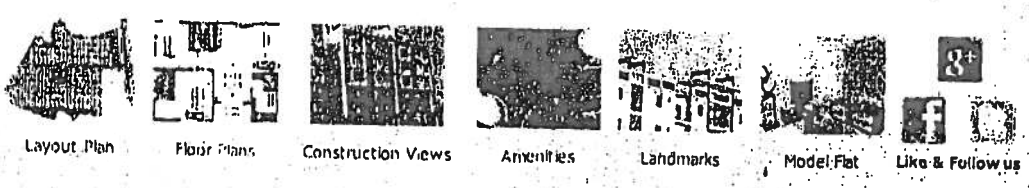
- Clubhouse with A to Z amenities
- Children play area.
- Illuminated parks
- Landscaped gardens
- Ample parking space in stalls for 2 and 4 wheelers
- 24x7 Security, A state of art business/office center
- Pressurized water system.
- Provision for Internet Connectivity
- Community / Banquet Hall that can accommodate 120 members
- Reliable water supply and scientific drainage system
- Landscaped Courtyard with fountains, Cable TV Network
- A premium club comprising restaurants and other features
- Gymnasiums, Swimming Pool
- Children's Park, Elevators with stand-by generators
- Indoor Courts – Chess, Table Tennis and Caroms
- Outdoor Courts for Basketball, Badminton, Volleyball and Tennis
- Intercom System between individual flats and security or admin office
- An end-to-end domestic. Groceries shopping complex
- Amphitheater with a capacity to seat 120
- Crèche, Provision for primary Health Care Center, ATM
- Street lighting, Individual Post Boxes

Highly Recommended

Projects

- Classic (New Launch)
- Silver Crest
- Lakefront
- Nile Valley
- Metropolis
- Arcadia
- Grandeur (Sold out)
- Green Wood
- Utopia

Project Features



Home Type by Price	Area (Sq. meters)	Sale Properties	Possession Time
45 Lacs to 50 Lacs	1400 to 1800 Sq.ft	1000 to 1200 Sq.ft	12 to 16 Months
50 Lacs to 65 Lacs	1600 to 1400 Sq.ft	600 to 1000 Sq.ft	8 to 12 Months
65 Lacs to 80 Lacs			4 to 8 Months
80 Lacs to 95 Lacs			1 to 4 Months







Janapriya  
PROJECT SYMBOL

# Janapriya ARCADIA

- HOME
- COMPANY
- PROJECTS
- OUR INVESTORS
- TECHNOLOGY
- CONTACT US

LIVE CHAT: **ONLINE** | Login

300+ Happy Families already Living

Flanked by 2 Lush Green 18-hole Golf Courses

Few ready to occupy 3-BHK flats also available.

- Introduction
- Amenities
- Location
- Layout Plan
- Videos
- Finance
- Specifications
- Gallery
- Downloads
- FAQs

## Arcadia – Elegant Housing – A Lifestyle you Desire & Deserve

A home so elegant, you wouldn't want to step out. A living so comfortable, you wouldn't forgo for anything else; this is Arcadia in a gist. However futuristic and plush home might get, there is still this old-fashioned principle that homes cannot be complete without ample fresh air and essential sunlight to warm your morning and keep you charged the whole day.

And, after a hectic work day, all you need it a home that gifts you privacy and space to relax and spend quality time with your family. Arcadia, but no other place can get it.

Enquiry

Name	Select
Email	Select
Country	Select
Phone	Select
Projects	Select
Comments/Description	

## ENQUIRY & EMAIL CONTACT

### PROJECTS

- Classic (New Launch)
- Silver Crest
- Lakefront
- Nile Valley
- Metropolis

Project Features



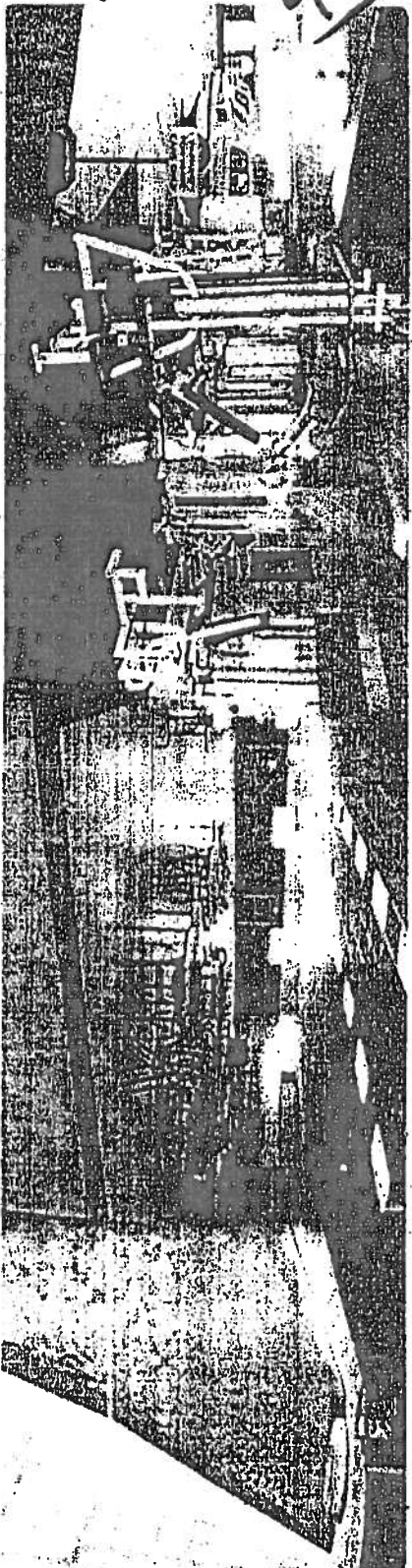


Janapriya  
FORGERS & BUILDERS

# Janapriya ARCADIA

- Home
- Company
- Projects
- Our Investors
- Technology
- Contact Us

LIVE CHAT: OFFLINE | Login



### Enquiry

Name

Email

Country  Select

Phone

Projects  Select

Comments/Description

- Introduction
- Amenities
- Location
- Layout Plan
- Videos
- Finance
- Specifications
- Gallery
- Downloads
- FAQs

## Amenities

Away from the city's din, minutes from all conveniences – the Best of both Worlds

While the basic ideology of a home is to embrace your spirits with peace of mind and set you free from the grueling work schedules or the pile of next day's tasks, Arcadia completes it all with an impressive array of amenities leading you to one pain – owning a home at Arcadia. Isolating you away from the world with a gated community and talking about the real ownership not only within the four walls but even outside with no common walls, here is what you deserve with a home at Arcadia:

- Clubhouse with A to Z amenities
- Children play area.
- Illuminated parks
- A premium club comprising restaurants and other features
- Gymsnasiums, Swimming Pool
- Children's Park. Elevators with stand-by generators

### Eligibility & EMI Calculator

### Projects

- Classic (New Launch)
- Silver Crest
- Lakefront
- Nile Valley
- Metropolis





44 79  
**JANAPRIYA ARCADIA FLAT OWNERS WELFARE ASSOCIATION**

(Regd. No. 1351/2010)

MAHADEVPUR, KOWKOOR, BOLLARUM POST, SECUNDERABAD 500 010.

OFF. COPY

7 B

To,

Date: 12-9-2014.

The Zonal Commissioner North,  
GHMC

Subject: Our Colony Main Road Access to Adjacent Venture

Respected Sir:

With reference to the above mentioned subject, we have been corresponding with you since 2010. We believe GHMC is contributing a great deal in building a new vision for Greater Hyderabad, which makes us trust in your faultless approach to every project taken up by you. Currently, we are living in a community having a radius of around less than 0.25 km, housing a population of close to 5000 people. As it is, the main road that runs within our colony is not sufficient to accommodate the traffic within the community and also raises an issue with regard to safety of children, senior citizens, ladies, etc., who would be using that road frequently. However, the project vendor adjacent to our community has recently started using the route wherein heavy vehicles/construction vehicles/trucks have been plying on this route posing a serious threat to safety within our gated community and also resulting in a lot of inconvenience.

Therefore, instead of taking any action from our end to move legally, etc., we believe that approaching you would result in appropriate justice and resolution of our problem with certainty.

We request you to communicate with us at the earliest or set up a meeting with us to discuss and come up with a solution to this problem.

Regards,

Raja Biswas.  
General Secretary.

CC: *12/9/14*  
Sh. Somesh Kumar  
(Commissioner GHMC)

DC ALWAL

*Alwal*  
13/9/14  
OFFICE OF THE  
ALWAL GHMC



45 P10  
IN THE COURT OF THE ADDL DISTRICT JUDGE  
RANGA REDDY DISTRICT: AT AMBERPET

Caveat No. of 2015

Between:

M/s. Sri Venkata Ramana Constructions  
And others

AND

...Caveator

M/s Janapriya Arcadia Flat Owners  
Welfare Association and others

...Respondents

AFFIDAVIT

I, Sri A. Ram Reddy S/o. A. Malla Reddy, Managing Partner of M/s Sri Venkata Ramana Constructions, having its Regd. Office at # H. No.2-3-35, Sri Sai Residence, Amberpet, Hyderabad, do solemnly affirm on oath and sincerely state as follows:-

1. I am the Managing Partner of Caveator Company herein and I am authorize to depose on behalf of other caveators, as such I am well acquainted with the facts of the case deposed hereunder:
2. The Caveators along with others are the absolute owners and possessors of land admeasuring extent of Ac. 21-323 in survey No. 3 to 9 and 33 of Mahadevpur Village, and survey Nos. 1, 3, 4, 5, 6 & 7 of Kowkooor Village, Malkajgiri Mandal, R. R. District having purchased the same under various valid registered sale deeds, The Caveators obtained permission from GHMC vide permit No. 24837/HO/Cir-17/2013 dated 13.06.2013 in file No. 40972/28/06/2011. The caveators are proceedings with the construction activities as per the sanctioned plan.





46

3. Originally the Caveators along with others are owners of land admeasuring Ac.11.32 guntas in survey Nos. 8, 10 to 12, 13 (P), 14 to 21, 27 to 29 Part situated at Mahadevpur Village Malkajgiri Mandal, R. R. District. The caveators and others have engaged M/s Janapriya Engineers Syndicate represented by its Managing Partner Sri K.Ravindra Reddy S/o K. Purushotham Reddy for construction of proposed residential flats consisting of A, B, C & D Blocks having obtained permission from GHMC vide Building permit No. 2809/B4/Pig/2007 dated 28.03.2007 as per G.O Ms. No. 86 dated 03.03.2006. Accordingly the Janapriya Engineers Syndicate has completed the construction of building complexes. The said land on which Janapriya Engineers Syndicate constructed building complexes is in the front side of the caveators property. The Respondents members are purchasers of flats from Janapriya Engineers Syndicate and subsequently formed into associations. As per the sanctioned plan issued by GHMC M/s Janapriya Engineers Syndicate and the land owners are required to provide approach road from the main road which is a thorough road and land admeasuring Ac.1-02.28 guntas was gifted to GHMC for providing a thorough road from the main road of Kowkooor - Darga X Roads to the property and also the said road is a thorough road to the rear side property which belongs to Caveators. Once the land is given on gift to GHMC and a road is provided, the said road shall be public road it shall be used by the members of respondents associations and as well as others and also the caveators. The GHMC has granted permission to the caveators for construction of proposed residential enclave in the land admeasuring Ac.21.332, keeping in view of the access road provided from the main road which is a approach road to the caveators.

4. While matter being so, the respondents associations and its members started obstructing the caveators, agents and vehicles from using the road and not allowing them to enter the road. The caveators with great difficulty to resist illegal attempts of the respondents in obstructing them for using the road. The respondents approached to GHMC authorities and made a complaint on 04.02.2013 and 26.02.2013 to GHMC stating that the 12 meters road is not a public road, the GHMC authorities vide letter dated 25.04.2013 to M/s Janapriya Properties Private Limited and others clearly



47.

stated that the 12 meters approach road has become a public road as the same was already handed over to GHMC i.e. Dy Municipal Commissioner, Alwal circle on 27.10.2011 and it is a public road and also stated that the said road shall have no encroachment etc. It is further informed to Janapriya Properties Private Limited and others. In spite of the said clarifications given by the GHMC authorities that the said road is a public road the respondents are interfering and obstructing the caveators for the usage of the road. Once it is public road the caveators have a every right to use the road which is an acc

5. The Respondents in spite of the clarifications given by the GHMC authorities from using the access road i.e. Ac.1-02.28 guntas, the respondents are obstructing the caveators from usage of the road. With great difficulty the Caveators could resist the illegal attempts made by the Respondents and its members.
6. It is submitted that the Respondent without any right, threatening and interfering the Caveators and its workers, agents, and their vehicles from the usage of 12 Meters access road which is a public road. The respondents threatened the caveators that they will approach the court and obtain exparte orders.
7. That the Respondents may institute suit against the Caveators by suppressing the material facts and may also try to obtain interim order behind my back. If the respondent file any suit and obtain interim order exparte the Caveators will be put to irreparable loss and injury as such it is just and necessary to hear the application that may be filed by the Respondent in any suit to be initiated by the Respondents.
8. I submit that I have sent the copies of the Caveat petition to the respondents herein through registered post and the receipt issued by the authorized have been enclosed herewith. And further the Caveator paid necessary court fee of Rs. U/s.295 (5) of C.P.C on the Caveat Petition as required under law.



48.

Hence, it is prayed that in the interest of justice the Hon'ble Court may be pleased to issue notice to the Caveators herein before passing any orders in any interlocutory applications that may be filed by the Respondents in a Suit against the Caveators herein and be pleased to pass such other order or orders as it may deem fit and proper in the circumstances of the case.

Sworn and signed before me, on this  
The    day of January, 2015  
At Malkajgiri, R.R. District.

DEPONENT

ADVOCATE :: HYDERABAD



49

IN THE COURT OF THE PRL. DISTRICT JUDGE  
RANGA REDDY DISTRICT::AT L.B. NAGAR

Caveat No. of 2015

**Between:**

1. M/s. Sri Venkata Ramana Constructions  
A partnership firm, having its Regd. office at  
# H. No.2-3-35, Sri Sai Residence, Amberpet,  
Hyderabad, Rep. by its Managing Partner  
Sri. A. Ram Reddy S/o. A. Malla Reddy  
Aged about 58 years, Occ: Business  
R/o. H. No.2-3-35, Sri Sai Residence,  
Amberpet, Hyderabad

2. A. Ram Reddy S/o. A. Malla Reddy  
Aged about 58 years, Occ: Business  
R/o. H. No.2-3-35, Sri Sai Residence,  
Amberpet, Hyderabad.

3. B. Jogi Reddy S/o. Late B. Raji Reddy  
Aged about 64 years, Occ: Business  
R/o. Flat No103, 2-2-7/1, Bagh Amberpet,  
Hyderabad.

AND

...Caveators.

1. M/s Janapriya Arcadia Flat Owners Welfare Association  
Having its office at Janapriya Arcadia  
Mahadevapur, Kowkooor, Bollaram Post  
Secunderabad 500 010 represented by its  
President Mr. Srinivas
2. M/s Janapriya Arcade Block A  
Flat Owners Welfare Association  
Having its office at Janapriya Arcadia  
Mahadevapur, Kowkooor, Bollaram Post  
Secunderabad 500 010 represented by its  
President Mr. Srinivas.
3. M/s Janapriya Arcade Block B  
Flat Owners Welfare Association  
Having its office at Janapriya Arcadia  
Mahadevapur, Kowkooor, Bollaram Post  
Secunderabad 500 010 represented by its  
President Mr. Rakesh Arora.





4. M/s Janapriya Arcade Block C  
Flat Owners Welfare Association  
Having its office at Janapriya Arcadia  
Mahadevapur, Kowkooor, Bollaram Post  
Secunderabad 500 010 represented by its  
President C.S. Jaswal.

50

...Respondents

**PETITION FILED UNDER SECTION 148-A OF C.F.C.**

The address for the service of all notices, processes, etc., on the above named Caveator is that of their counsel M/s. C. Prabhakara Rao, K. M. Amarender Reddy, K.V. Viswanadha Raju, Advocates, O/o H.No.8-3-833/202, Plot No.202, Phase-II, Kamalapur Colony, Srinagar Colony, Hyderabad.

For the reasons sated in the accompanying affidavit, the Caveators prays that this Hon'ble Court may be pleased to issue notice to the Caveators herein before passing any orders in any interlocutory applications that may be filed by the Respondents in a Suit against the Caveators herein and be pleased to pass such other order or orders as it may deem fit and proper in the circumstances of the case.

**SCHEDULE OF PROPERTY**

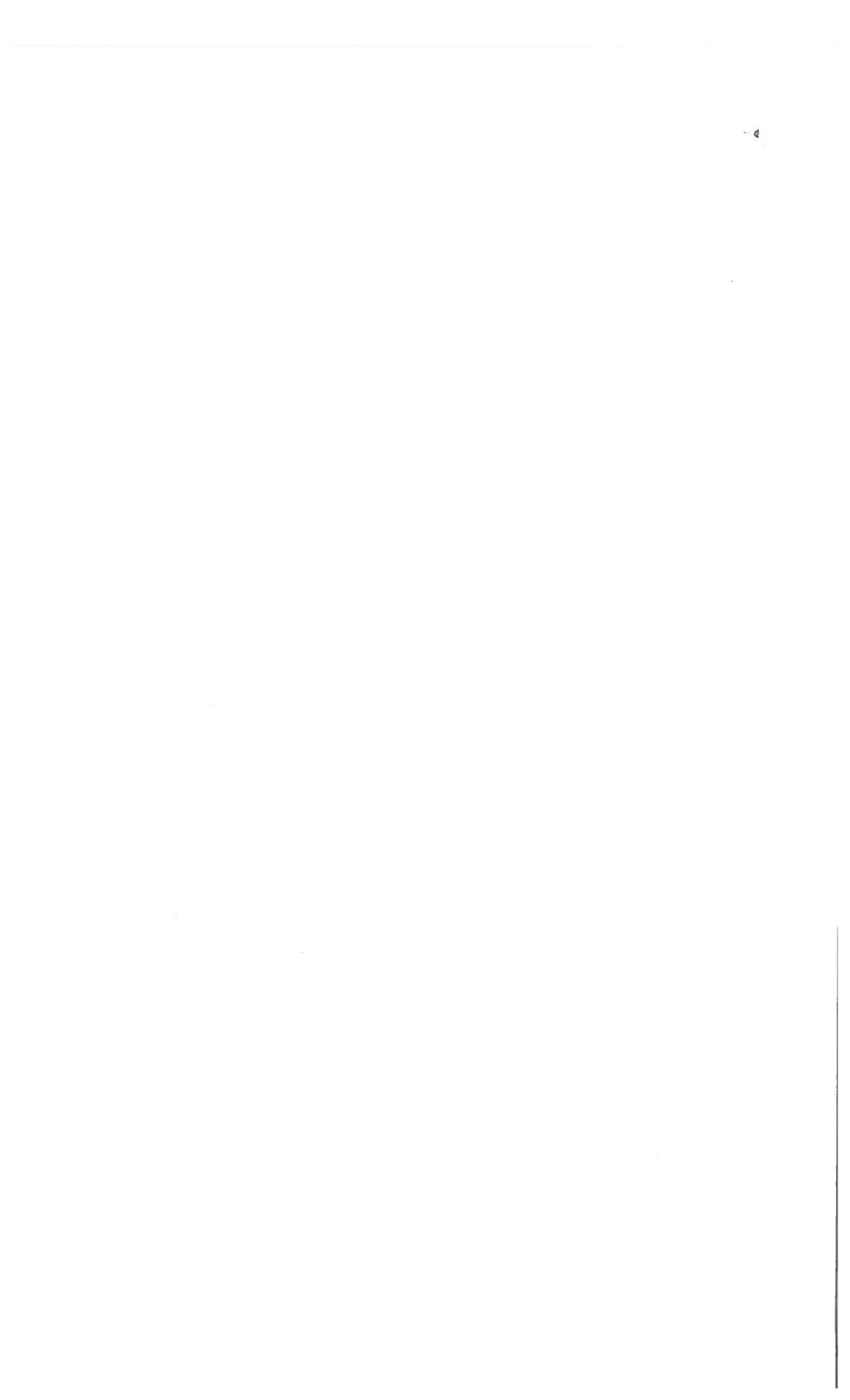
All that Road shown in the plaint as A,B,C,D,E, F sketch plan land admeasuring Ac.1-02.28 guntas in survey No. 9,10, 11, 12/A, 12/AA, 12/E, 13/EA, 13/E, 13/EE, 14, 15, 20, 21/A, 21/AA, 27/A, 28/AA, 28/E, 29/A, 29/AA, 29/E and 29/EE situated at Mahadevapur Village, Alwal Municipality, Malkajgiri Mandal, Ranga Reddy District bounded by:

North	: Plaintiffs Land
South	: Road
East	: C, D Blocks
West	: A, B Blocks

Place: Malkajgiri

Dt: .01.2015

**COUNSEL FOR CAVEATORS**



51.  
IN THE COURT OF THE <sup>Added</sup>  
DISTRICT JUDGE RANGA REDDY  
DISTRICT: AT NEW BALAJI

Caveat No. of 2015

Between:

M/s. Sri Venkata Ramana  
Constructions  
And others

...Caveator

AND

M/s Janapriya Arcadia Flat Owners  
Welfare Association and others

...Respondents

PETITION FILED UNDER  
SECTION 148-A OF C.P.C.

Filed On: 28.01.2015

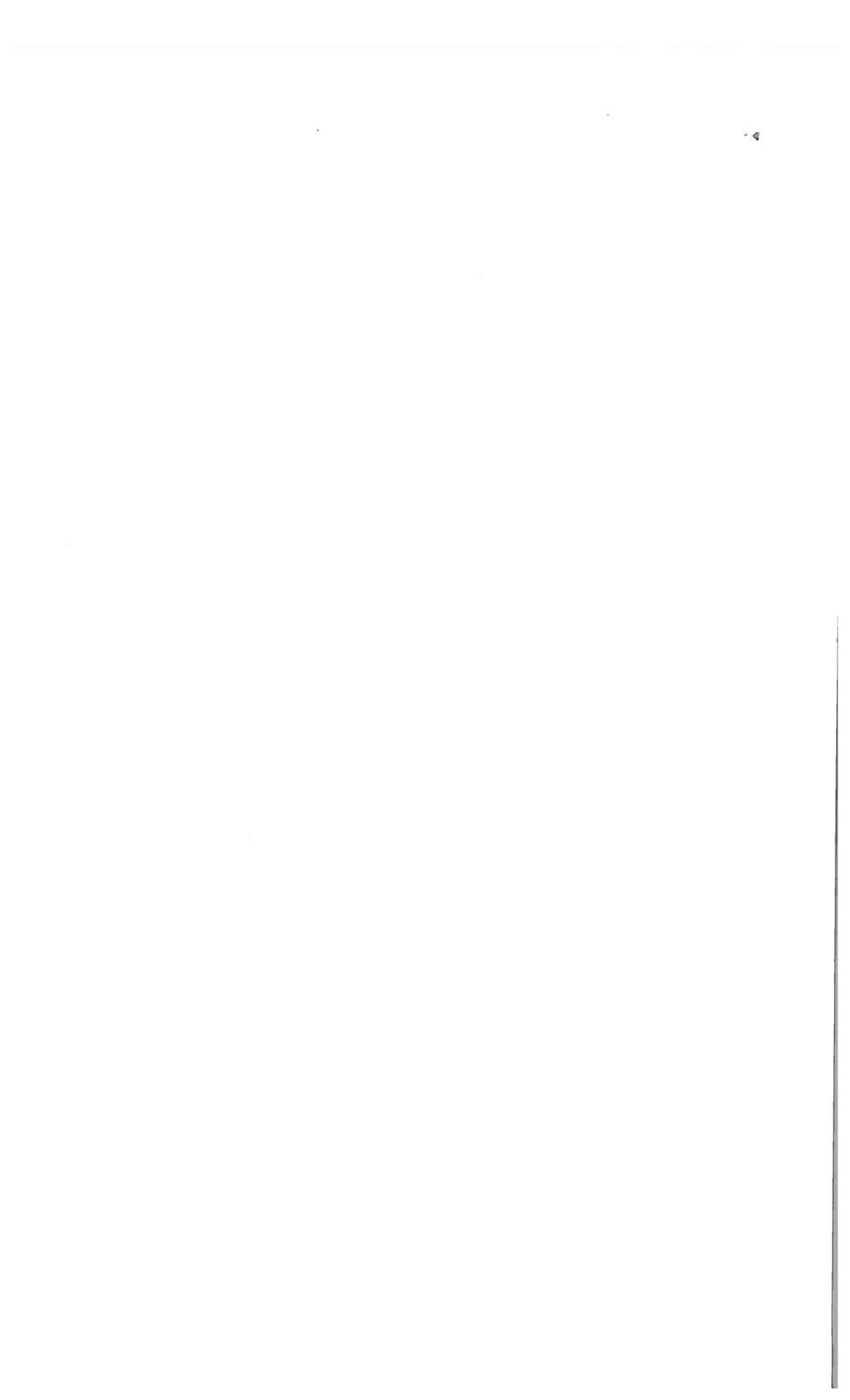
Filed By:

M/s. C. Prabhakara Rao,  
M. Amarender Reddy,  
K.V. Vishwanada Raju,

...Advocates,

H.No.8-3-833, 202, Plot No.202, Phase-  
II, Kamalapuri Colony, Srinagar  
Colony, Hyderabad.

COUNSEL FOR CAVEATORS



(Memorandum of Writ Petition Miscellaneous Petition u/S 151 of C.P.C.)  
IN THE HON'BLE HIGH COURT OF JUDICATURE AT HYDERABAD  
FOR THE STATE OF TELENGANA AND STATE OF ANDHRA  
PRADESH

W.P.M.P. /2015

In

W.P. /2015

Between

Janapriya Arcadia Flat Owners  
Welfare Association

Rep by Secretary Raja Biswas  
S/o Madhabendra Biswas

R/o Janapriya Arcadia flat owners welfare association,  
Mahadevpur, Kowkooor, Secunderabad.

.. Petitioner

AND

1 The State of Telangana  
Rep by Principal Secretary,  
Municipal administration and Urban  
development, Secretariat (T)  
Tank Bund, Hyderabad.

2 The Greater Hyderabad Municipal Corporation  
Rep by the Commissioner,  
Liberty circle, Hyderabad.

3 Deputy Commissioner, GHMC  
Alwal circle, Alwal,  
Secunderabad-500010

4 The Hyderabad Metropolitan  
development authority  
Rep by The Metropolitan  
Commissioner, HMDA,  
Block A, District Commercial  
Complex, Tamaka,  
Secunderabad 500017

5 The Zonal commissioner,  
HMDA Medchal Zonal office,  
Plot No 14 & 15,  
Chandra Nagar,  
Opp: Mukundh Theatre,  
Medchal, Ranga Reddy district  
501401

6 Janapriya Engineers Syndicate Limited  
H.No.3-6-115115/a, Himayatnagar, Hyderabad.29  
And Door No 8-2-120/86 & 8-2-120/86/1,  
3<sup>rd</sup> floor, Keerthi & Pride towers, Road No 2, Banzara Hills, Hyd.34  
Rep by MD.K.Ravinder Reddy S/o late Purushotham Reddy  
H.No.3-6-115/a, Himayatnagar, Hyderabad.

.. Respondents



**PARTICULARS OF THE PETITIONER** The address of the Petitioner for the purpose of service of notices, process etc., is that of his counsel P Rajeswara Rao and Sri Vijay A, Suresh, Upender, advocates, Prashant Nagar, Vanasthalipuram, Hyderabad.

**PARTICULARS OF THE RESPONDENTS** The particulars of the respondents for the purpose of service of notices, process etc., is same as above mentioned in the cause title.

It is therefore prayed that this Hon'ble court may be pleased to suspend the building permit accorded vide permit No:24873/HO/NZ/Cir-17/2013 dated 13.06.2013 & orders given by the respondent 2 in respect of Villa Orchids promoted by respondent 6 & others vide Commissioner, GHMC's Letter no 40972/28/06/2011-13/1498 dated 25.04.2013 pending disposal of the Writ petition, and pass such other order or orders as may be deemed fit and proper in the circumstance of the case and in the interest of the justice.

23-2-2015

Hyderabad

counsel for petitioner







10

F.R-1

RANGA REDDY : DISTRICT

HIGH COURT

IN THE HIGH COURT OF JUDICATURE  
AT HYDERABAD FOR THE STATE OF  
TELANGANA AND THE STATE  
ANDHRA PRADESH

WPMP /15

IN

W.P.No 12584/2015

SUSPENSION PETITION

B. SHVAIKUMMAR (6312)

~~P. Reddy~~ Advocate

~~6312~~