

IN THE HON'BLE HIGH COURT OF JUDICATURE AT HYDERABAD

W.P.No: OF 2007

RUNNING INDEX

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IN THE HON'BLE HIGH COURT OF JUDICATURE AT HYDERABAD

W.P.No: OF 2007

Between:

P. Varalaxmi ...

Petitioner

A N D

The Commissioner & Special Officer,  
GHMC & others ...

Respondents

ANNEXURE - I

CHRONOLOGY OF EVENTS

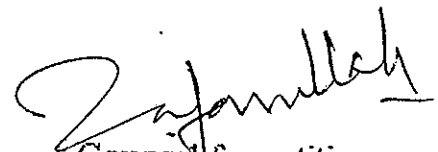
<u>Sl.No.</u>	<u>Date</u>	<u>Document</u>	<u>Pg.No.</u>
1.	15-08-07	Complaint to GHMC	6
2.	20-09-07	Notice of GHMC	6
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ANNEXURE - II

Under Art. 226 of the Constitution of India.

HYDERABAD

Date: 30-10-07.

  
Counsel for petitioner



3

Memorandum of Writ Petition under Article 226 Constitution of India  
IN THE HON'BLE HIGH COURT OF JUDICATURE AT HYDERABAD

W.P.No: OF 2007

Between:

P. Varalaxmi W/o P. Ravinder Reddy,  
Aged 42 years, Occ: household R/o I-402,  
May Flower Park, Mallapur, Rangareddy Dt. ... Petitioner

A N D

1. The Special Officer & Commissioner,  
Greater Hyderabad Municipal Corporation,  
Tank Bund, Hyderabad.
2. The Deputy Commissioner,  
Greater Hyderabad Municipal Corporation,  
Kapra Municipality, Rangareddy District.
3. M/s Modi Properties & Investments Pvt. Ltd.,  
5-4-187/3,4, IIIrd Floor, MG Road, Secunderabad,  
500 003.
4. M/s Reliance Communications Ltd.,  
Lake Shore Towers, 6-3-1090/B/1,  
Raj Bhavan Road, Somajiguda, Hyderabad. ... Respondents

The petitioner's address for service of process is that of the counsel:  
Mohammed Zafarullah & K. Shyam Kumar, Advocates, 20-7-106, Qazipura,  
Hyderabad-65, Ph: 9247173741, 9246283363.

For the reasons stated in the affidavit annexed, the petitioner prays this Hon'ble Court to be pleased to issue an Order, Direction or Writ, particularly a mandamus, declaring the inaction, delay and negligence of the respondents 1 & 2 in taking the follow up action upon notice No: G2/884/ 07 Dtd:20-09-07 under HMC Act 1955, as arbitrary, collusive, illegal, in violation of fundamental/human rights and principles of natural justice; and the non removal of said tower by respondents 3 & 4 as illegal; and consequently direct them to remove the illegally erected M/s Reliance Communication's tower from the terrace of of 5<sup>th</sup> floor, I-Block, May Flower Park, Mallapur, GHMC Kapra Circle, as per the said notice; and to pass such orders as are necessary in the interest of justice.

HYDERABAD  
Date: 30-10-07.

Counsel for Petitioner

RANGAREDDY DISTRICT  
HIGH COURT OF ANDHRA PRADESH

W.P.No: OF 2007

WRIT PETITION

Filed on: 30-10-07

Filed by: MOHAMMED ZAFARULLAH  
ADVOCATE - 726  
K. SHYAM KUMAR  
ADVOCATE-4243  
20-7-106, Qazipura, Hyderabad-500001  
Ph: 9247173741, 9246283363

Counsel for Petitioner

IN THE HON'BLE HIGH COURT OF JUDICATURE AT HYDERABAD

W.P.No: OF 2007

Between:

P. Varalaxmi W/o P. Ravinder Reddy,  
Aged 42 years, Occ: household R/o I-402,  
May Flower Park, Mallapur, Rangareddy Dt. ... Petitioner

A N D

1. The Commissioner & Special Officer,  
Greater Hyderabad Municipal Corporation,  
Tank Bund, Hyderabad.
2. The Deputy Commissioner, Kapra Circle,  
Greater Hyderabad Municipal Corporation,  
At Kushaiguda, Rangareddy Dt.
3. M/s Modi Properties & Investments Pvt. Ltd.,  
5-4-187/3,4, IIIrd Floor, MG Road, Secunderabad.  
500 003.
4. M/s Reliance Communications Ltd.,  
Lake Shore Towers, 6-3-1090/B/1,  
Raj Bhavan Road, Somajiguda, Hyderabad. ... Respondents

AFFIDAVIT

I, P. Varalaxmi W/o P. Ravinder Reddy, aged 42 years, Occ: household, R/o I-402, May Flower Park, Mallapur, Rangareddy Dt., hereby state on oath as under:

1. That I am the petitioner herein & one of the flat owners, among hundreds others in May Flower Park apartments, as such I am fully aware of the facts being interested in the lives, safety and welfare of these apartments' residents; hence filing this Public Interest Litigation. I am a post graduate housewife engaged in social service and public causes to my level best.

2. That we reside in May Flower Park apartments in Mallapur, RR Dt., having purchased from M/s Modi Properties and Investments Pvt. Ltd., who constructed and sold out all the flats. On 5<sup>th</sup> floor of I-Block, Reliance Communications Ltd., erected a signal tower, without a consent of building

Contd....P/2

270  
flats owners, in collusion with the builder. We noticed a wide crack and cut of our sub-block from main I-block, from ground to fifth floors, completely from south to north, bending of our sub-block towards eastern side. A play ground and children park is also adjacent to our sub-block. Experts opined it a great hazard and danger to lives and safety of flats' residents, people in the vicinity and the general public, making responsible only the high tower with its connected heavy load of equipments and machinery over the terrace of 5<sup>th</sup> floor. There are no such cracks, cuts and bending in any of other 8 blocks.

3. That at the request of others, on 17-08-07 I lodged its complaint Dtd:15-08-07 before the Dy. Commissioner, GHMC, Kapra Circle & copies to the Commissioner, GHMC and Chief City Planner, GHMC. The staff of different branches of GHMC, including Town Planning, Engineering, Soil Testing, etc., thoroughly inspected and examined the site, keenly looked into the problem and submitted their reports to the Dy. Commissioner, Kapra.

4. The Dy. Commissioner, Kapra Circle, GHMC, issued a Notice No: G2/884/2007 Dated 20-09-07 to M/s Modi Ltd., say that they erected a telecommunication signal tower (Reliance) without taking prior permission from the competent authorities; the flat owners lodged a complaint, during inspection it was observed that some cracks are developed in all floors of the block at the tower erected location, and directed to remove the tower erected illegally within ten days failing which necessary action would be initiated by GHMC as per the provisions of HMC Act 1955, for consequences of which M/s Modi Pvt.Ltd., would be held liable for any untoward incident. Copies of this notice were given to M/s Reliance Communications Ltd., the SHOPS Nacharam and the President of Residents' Welfare Association.

5. That Despite the said notice of GHMC Dtd:20-09-07 to remove the illegally erected signals tower within 10 days, the respondents 3 & 4 did not comply with its directions. Ultimately, I gave reminder Dtd:04-10-07 to Respondents 1 and 2, requesting urgent necessary action to save public lives. If removal of that tower and heavy loaded machinery is delayed, the cracks, cuts & bending of building will continue increasing; will be more dangerous, dilapidated and cause a great hazard/danger to its and surrounding inmates and the public passing through the road/lane and on its front/sides.

Contd... P/3



6. Angry and enraged upon my said complaint to GHMC in public interest to save public lives, M/s Modi restrained me from entering my own flat, purchased from them on 08-12-06 by Regd. Sale deed, in their another venture: Gul Mohar Gardens, locked it in retaliation and refused to allow me till I withdraw my complaint from GHMC. I complained of this cognizable offence to police on 04-10-07, who did not initiate any legal action under the influence of M/s Modi. Only after my complaint to DCP, the ACP talked to them and arranged my entry into my owned flat, without any action of IPC.

7. M/s Modi Pvt.Ltd. & M/s Reliance Communications Ltd. have very high official, political and financial influence, influenced Respondents 1 and 2 and silenced them. As such I gave another reminder Dtd:15-10-07 to Respondents 1, 2 and Chief City Planner, GHMC, but for no use. Contrarily the respondents 1 & 2 are aiding and advising respondents 3 & 4 to obtain a stability certificate of our building from some other source, so as to overlook and ignore GHMC officials' reports against M/s Reliance signals' tower and to drop further follow up legal action upon their notice dated 20-09-07. M/s Modi unlawfully earns heavy rents from M/s Reliance for that tower without ownership of our building or any flat therein, at the cost of public lives.

8. That prevention is always better than cure. Wealthy people are exploiting the ignorance and innocence of general public and filling pockets at the cost of others' lives. Respondents 1 and 2 are duty bound to protect & safeguard the public lives. They should never permit and allow to exist such signal towers upon high rise buildings that too without an express consent of the building owners and adjoining neighbours. Unfortunately they ignored, neglected and forgot their lawful duties and are now acting under directions of highly influential and very rich respondents 3 and 4. They will never act lawfully, unless directed by this Hon'ble Court.

9. That there is no alternate effective remedy except approaching this Hon'ble Court under Article 226 of Constitution of India for a Writ. No such petition is ever filed or pending in any other court for the relief herein claimed for.

8-4-9

10. Hence prayed that this Hon'ble Court may be pleased to issue an Order, Direction or Writ, particularly a mandamus, declaring the inaction, delay and negligence of the respondents 1 and 2 in taking a follow up action under HMC Act 1955 upon notice No:G2/884/07 Dtd:20-09-07, as arbitrary, collusive, illegal and in violation of fundamental/human rights & principles of natural justice; and the non removal of said tower by respondents 3 and 4 as illegal; and consequently to direct them all to remove the illegally erected M/s Reliance Communication's tower from terrace of the 5<sup>th</sup> floor, I-Block, May Flower Park, Mallapur, GHMC Kapra Circle, as per the said notice; and to pass such orders as are necessary in the interest of justice.

11. It is also just, proper and necessary to direct the respondents 1 and 2 to take the follow up action under HMC Act 1955 upon notice No:G2/884/07 Dtd: 20-09-07 and to proceed further in removing illegally erected M/s Reliance Communications' tower from the terrace of 5<sup>th</sup> floor, I-Block, May Flower Park, Mallapur, Kapra Circle, GHMC, till the disposal of this Writ Petition.

HYDERABAD  
Date: 30-10-07.

DEPONENT

VERIFICATION

I, P. Varalaxmi W/o P. Ravinder Reddy, aged 47 years, Occ: household, R/o I-402, May Flower Park, Mallapur, Rangareddy Dt., hereby affirm and state on oath that the contents of paras 1 to 11 of this affidavit are true and correct to the best of my knowledge and belief. Hence verified at Hyderabad on this the 30<sup>th</sup> day of October, 2007.

DEPONENT

Sworn and signed before me at Hyderabad on 30-10-07.  
Identified by: K. Shyam Kumar, Advocate, Hyd-80.

Advocate, Hyd.

Counsel for petitioner

The Deputy Municipal Commissioner,

GHMC, Kapra, East Zone.

Sub: Threat of 5 floors' building falling down – instant danger and hazard to human lives - Reg.

Sir,

We purchased flats in I-Block of 'May Flower Park' at Mallapur in 2003, and living therein. Our 10 flats have 01 and 02 numbers in this five floors' block. The 'May Flower Park' is developed and constructed by M/s Modi Properties & Investments Pvt. Ltd. MG Road, Secunderabad. We noticed a wide crack/cut of our flats from the main block (from ground to fifth floors completely south to north), bending our sub-block to eastern side. The experts have opined it construction and structural defect for imperfect workmanship & low quality material, and declared hazardous and dangerous to live in.

The hazard and danger is further multiplied by the installation of a high tower with its connected machinery over our roof, which weighs in tens of tonnes. It is erected by the Reliance Communications, probably with the consent of said M/S Modi. We have brought these facts to the knowledge of the Developers/Promoters/Builders and our Flat Owners' Association, but in vain.

Please take urgent action to safeguard our lives against the danger and hazard or else our flats may fall down at any time causing heavy casualties.

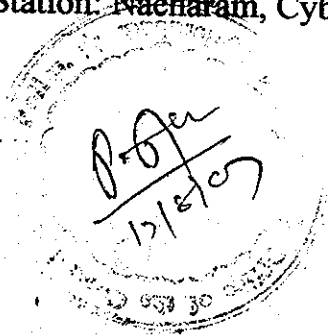
MALLAPUR, HYD.

Date: 15-08-2007.

P. VARA LAXMI  
R/o I-402,  
May Flower Park, Mallapur.  
Ph:27158888, 9490641188.  
c/o M.Zafarullah, advocate,  
Ph:9247173741,9246283363

Copy with similar request to:

1. The Commissioner & Special Officer, GHMC, Hyderabad.
2. The Addl. Zonal Commissioner, GHMC East Zone.
3. The Chief City Planner, GHMC, Hyderabad.
4. The Commissioner of Police, Cyberabad.
5. The SHO, Police Station: Nacharam, Cyberabad.





:: U ::

The Deputy Municipal Commissioner,  
GHMC, Kapra, East Zone

Sub: Threat of 5 floors' building falling down – instant  
Danger and hazard to human lives – Reg.

Sir,

We purchased flats in I-Block of 'May Flower Park' at Mallapur in 2003, and living therein. Our 10 flats have 01 and 02 numbers in this five floors' block. The 'May Flower Park' is developed and constructed by M/s Modi Properties & Investments Pvt. Ltd., MG Road, Secunderabad. We noticed a wide crack/cut of our flats from the main block (from ground to fifth floors completely south to north), bending our sub-block to eastern side. The experts have opined it construction and structural defect for imperfect workmanship & low quality material, and declared hazardous and dangerous to live in.

The hazard and danger is further multiplied by the installation of a high tower with its connected machinery over our roof, which weights in tens of tones. It is erected by the Reliance Communications, probably with the consent of said M/S Modi. We have brought these facts to the knowledge of the Developers/Promoters/Builders and our Flat Owners' Association, but in vain.

Please take urgent action to safeguard our lives against the danger and hazard or else our flats may fall down at any time causing heavy casualties

MALLAPUR, HYD.  
Date: 15-08-07.

P. VARALAXMI R/o I-402, May Flower  
Park, Mallapur, PhP 27158888, 9490641188  
C/o M. Zafarullah, Advocate, Ph: 9247173741  
9246283363

Copy with similar request to:

1. The Commissioner & Special Officer, GHMC, Hyderabad.
2. The Addl. Zonal Commissioner, GHMC, East Zone.
3. The Chief City Planner, GHMC, Hyderabad.
4. The Commissioner of Police, Cyberabad.
5. The SHO, Police Station: Nacharam, Cyberabad.



**OFFICE OF THE DEPUTY COMMISSIONER  
KAPRA CIRCLE, G.H.M.C.**

No.G2/884/2007

Date: 20-09-2007

**NOTICE**

Sub: GHMC – Kapra Circle – Town Planning – Unauthorized erection of Tower over the Block-I of May Flower Park, Mallapur (V) – Remove the Tower – Notice – Issued – Regarding.

Ref: Grievance Petition of Smt P. Vara Laxmi, dated: 15-08-2007 R/o. Block- I - 402, May Flower Park, Mallapur (V).

\*\*\*\*

Whereas it has been brought to my notice that you have erected a telecommunication signal tower (Reliance) over the terrace of 5<sup>th</sup> floor of Block-I on May Flower Park apartment in Sy.No.174 of Mallapur (V) unauthorizedly with out taking prior permission from the competent authorities.

The flat owners of the Block also lodged a complaint that due to heavy load of the machinery and tower established over the terrace of the block-I causing damage to the building and some wide cracks also developed due to which there is a danger to their life.

During inspection it is also observed that some cracks are developed in all floors of the Block at the tower erected location.

Therefore you are hereby directed to remove the tower erected illegally with in ten days from the date of receipt of this notice. Failing which necessary action will be initiated by the GHMC as per the provisions of the HMC Act 1955, for the consequences of which you will be held liable if any untoward incident takes place.

*S. N. K. S.*  
Deputy Commissioner,  
Kapra Circle, GHMC.

To,

M/s. Modi Properties & Investments (P) Ltd.,  
M.G. Road,  
Secunderabad.

Copy to the President, May Flower Park Residents Welfare Association.  
Copy to the Manager, Reliance Communication.  
Copy to the Smt Vara Laxmi, for information.  
Copy to the Station House Officer, Nacharam Police Station.





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OFFICE OF THE DEPUTY COMMISSIONER KAPRA CIRCLE GHMC

No: G2/884/2007

Date: 20-09-2007

NOTICE

Sub: GHMC – Kapra Circle – Town Planning – Unauthorized erection of Tower over the Block-I of May Flower Park, Mallapur (V) - Remove the Tower – Notice – Issued – Regarding.

Ref: Grievance Petition of Smt. P. Vara Laxmi, dated: 15-08-2007 R/o I-402, May Flower Park, Mallapur (V).

Whereas it has been brought to my notice that you have erected a telecommunication signal tower (Reliance) over the terrace of 5<sup>th</sup> floor of Block-I on May Flower Park apartment in Sy.No.174 of Mallapur (V) unauthoriz- edly without taking prior permission from the competent authorities.

The flat owners of the Block also lodged a complaint that due to heavy load of the machinery and tower established over the terrace of the block-I causing damage to the building and some wide cracks also developed due to which there is a danger to their life.

During inspection it is also observed that some cracks are developed in all floors of the block at the tower erected location.

Therefore you are hereby directed to remove the tower erected illegally In ten days from the date of receipt of this notice. Failing which necessary action will be initiated by the GHMC as per the provisions of the HMC Act 1955, for the consequences of which you will be held liable if any untoward incident takes place.

Sd/- Deputy Commissioner,  
Kapra Circle, GHMC

To,  
M/s Modi Properties & Investments (P) Ltd,  
M.G. Road, Secunderabad.  
Copy to the President, May Flower Park Residents Welfare Association.  
Copy to the Manager, Reliance Communication.  
Copy to the Smt. Vara Laxmi, for information.  
Copy to the Station House Officer, Nacharam Police Station.



The Deputy Commissioner,  
Kapra Circle, GHMC.

14

Respected sir,

Sub: Removal of unauthorized erection of Reliance Tower  
over 5<sup>th</sup> floor, Block-I of May Flower Park, Mallapur.

Ref: Your Notice G2/884/2007 Dt:20-09-07 to M/s Modi  
& copies to SHO PS Nacharam & Reliance Commn.


--ooOoo--

I highly appreciate the prompt and urgent action of the GHMC  
officials in saving and safeguarding public lives and properties.

I regret that despite your notice, neither M/s Modi Properties &  
Investments (P) Ltd. nor Reliance Communications have complied with your  
directions to remove within 10 days the illegally erected tower over 5<sup>th</sup> floor  
of I-Block in May Flower Park, Mallapur. Their acts caused high danger/risk  
to human lives/properties. They have very high official, political & financial  
influence. However the GHMC officials are more powerfully equipped with  
law and proper/prompt supervision.

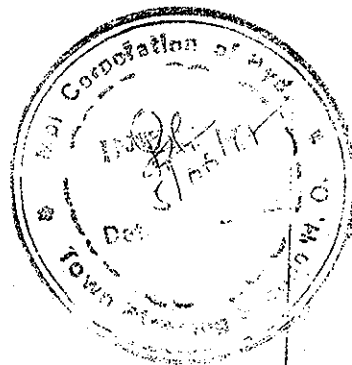
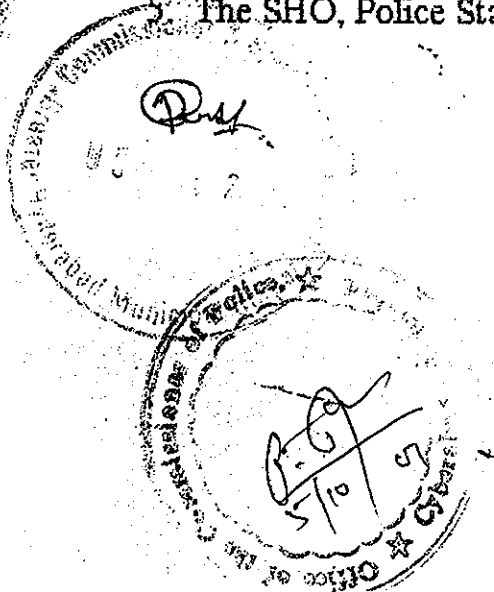
Please take urgent necessary action to save the public lives.

NACHARAM  
Date:04-10-07,

  
P.Varalaxi W/o P.Ravinder Reddy  
I-402, May Flower Park, Mallapur  
RR Dt. Ph:9490641188, 27158888

Copy for information submitted to:

1. The Commissioner & Special Officer, GHMC, Hyderabad.
2. The Addl. Zonal Commissioner, GHMC, East Zone, Hyd.
3. The Chief City Planner, GHMC, Hyderabad.
4. The Commissioner of Police, Cyberabad.
5. The SHO, Police Station: Nacharam, Cyberabad.





:: 13 ::

The Deputy Commissioner,  
Kapra Circle, GHMC.

Respected sir,

Sub: Removal of unauthorized erection of Reliance Tower  
over 5<sup>th</sup> floor, Block-I of May Flower Park, Mallapur.

Ref: Your Notice G2/884/2007 Dt:20-09-07 to M/s Modi  
& copies to SHO PS Nacharam & Reliance Commn.

--ooOoo--

I highly appreciate the prompt and urgent action of the GHMC officials in saving and safeguarding public lives and properties.

I regret that despite your notice, neither M/s Modi Properties & Investments (P) Ltd. nor Reliance Communications have complied with your directions to remove within 10 days the illegally erected tower over 5<sup>th</sup> floor of I-Block in May Flower Park, Mallapur. Their acts caused high danger/risk to human lives/properties. They have very high official, political & financial influence. However the GHMC officials are more powerfully equipped with law and proper/prompt supervision.

Please take urgent necessary action to save the public lives.

NACHARAM  
Date:04-10-07

P.Varalaxi W/o P.Ravinder Reddy  
I-402, May Flower Park, Mallapur  
RR Dt. Ph:9490641188, 27158888

Copy for information submitted to:

1. The Commissioner & Special Officer, GHMC, Hyderabad.
2. The Addl. Zonal Commissioner, GHMC, East Zone, Hyd.
3. The Chief City Planner, GHMC, Hyderabad.
4. The Commissioner of Police, Cyberabad.
5. The SHO, Police Station: Nacharam, Cyberabad.



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The Commissioner & Special Officer,  
Greater Hyd. Municipal Corporation,  
HYDERABAD.

Respected sir,

Sub: Removal of unauthorized erected Reliance Tower over  
5<sup>th</sup> floor, Block-I, May Flower Park, Mallapur, (Kapra).

- Ref: 1. GHMC Dy. Commr. Kapra circle, Notice G2/884/2007  
Dt:20-09-07 to M/s Modi & copies to SHO Nacharam  
PS, Reliance Commn. and Varalaxmi (Complainant).  
2. My Reminder Dt:04-10-07 to Dy. Commr. Kapra, with  
Copies to CCP, C&SO, GHMC.

--ooOoo--

I highly appreciate the prompt and urgent action of the GHMC  
officials in issuing Ref.1 to save/safeguard public lives/properties.

I regret that neither M/s Modi Properties & Investments (P) Ltd  
nor Reliance Communications have complied with GHMC Notice to remove  
illegally erected tower from 5<sup>th</sup> floor of I-Block, May Flower Park, Mallapur  
within 10 days, as directed. That tower caused much danger/risk to human  
lives/properties, as observed by GHMC officials during inspection that some  
cracks are developed in all floors of the Block at the tower-erected location.

They have very high official, political and financial influence.  
However GHMC officials are more powerfully equipped with the law and  
superiors' proper/prompt supervision.

Please take urgent necessary follow up action upon the GHMC  
notice, to save our lives, as we are always living in fear of building collapse.

NACHARAM  
Date: 15-10-07

A=

P. Varalaxi W/o P. Ravinder Reddy  
I-402, May Flower Park, Mallapur  
RR Dt. Ph:9490641188, 27158888

- Encl: 1. GHMC Notice Dt:20-09-07.  
2. My Reminder Dt:04-10-07.

Copy for information submitted to:

1. The Dy. Commissioner, Kapra Circle, GHMC, Hyderabad.
2. The Addl. Zonal Commissioner, GHMC, East Zone, Hyd.
3. The Chief City Planner, GHMC, Hyderabad.
4. The Commissioner of Police, Hyderabad.





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The Commissioner & Special Officer,  
Greater Hyd. Municipal Corporation,  
HYDERABAD.

Respected sir,

Sub: Removal of unauthorized erected Reliance Tower over  
5<sup>th</sup> floor, Block-I, May Flower Park, Mallapur, (Kapra).

- Ref: 1. GHMC Dy. Commr. Kapra circle, Notice G2/884/2007  
Dt:20-09-07 to M/s Modi & copies to SHO Nacharam  
PS, Reliance Commn. and Varalaxmi (Complainant).  
2. My Reminder Dt:04-10-07 to Dy. Commr. Kapra, with  
Copies to CCP, C&SO, GHMC.

I highly appreciate the prompt and urgent action of the GHMC  
officials in issuing Ref.1 to save/safeguard public lives/properties.

I regret that neither M/s Modi Properties & Investments (P) Ltd  
nor Reliance Communications have complied with GHMC Notice to remove  
illegally erected tower from 5<sup>th</sup> floor of I-Block, May Flower Park, Mallapur  
within 10 days, as directed. That tower caused much danger/risk to human  
lives/properties, as observed by GHMC officials during inspection that some  
cracks are developed in all floors of the Block at the tower-erected location.

They have very high official, political and financial influence.  
However GHMC officials are more powerfully equipped with the law and  
superiors' proper/prompt supervision.

Please take urgent necessary follow up action upon the GHMC  
notice, to save our lives, as we are always living in fear of building collapse.

NACHARAM  
Date: 15-10-07

P. Varalaxi W/o P. Ravinder Reddy  
I-402, May Flower Park, Mallapur  
RR. Dt. Ph:9490641188, 27158888

- Encl: 1. GHMC Notice Dt:20-09-07.  
2. My Reminder Dt:04-10-07.

Copy for information submitted to:

1. The Dy. Commissioner, Kapra Circle, GHMC, Hyderabad.
2. The Addl. Zonal Commissioner, GHMC, East Zone, Hyd.
3. The Chief City Planner, GHMC, Hyderabad.
4. The Commissioner of Police, Cyberabad.
5. The SHO, Police Station: Nacharam, Cyberabad.



To  
The Station House Officer,  
Police Station: Nacharam,  
CYBERABAD (RR Dt.)

18

Respected sir,

I humbly submit that I reside in Flat: I-402 in May Flower Park, Mallapur, purchased in 2003 from M/s Modi Properties & Investments Pvt. Ltd., MG Road, Secunderabad, Rep. by: Soham Modi. On noticing a wide crack/cut of our flats from main block due to structural/construction defects and installation/fixture of Reliance Communications machinery & tower on 5<sup>th</sup> floor causing danger to building/lives, I reported to municipal authorities. After thorough and elaborate inspection, GHMC issued notices to M/s Modi to remove Reliance tower & to repair/remove I-Block dilapidated structure. Soham Modi and his henchmen are angry upon my complaining to GHMC and snatching their illegally earned bread thereby.

2. I purchased flat-B416 in Gul Mohar Gardens, Shakti Sai Nagar, Mallapur, through Regd. Sale Deed 19406/06 Dtd:08-12-06 from M/s Modi Ventures, MG Road Secunderabad, rep. by: Soham Modi, Managing Partner.

3. After acquiring ownership title and peaceful possession of said flat in semi finished condition, I entrusted M/s Modi Ventures to complete & finish the flat construction @ Rs. 2,37,000/- by 01-04-07 and paid them fully.

4. Today on 04-10-07 at 0900 hours, we went to our flat but found it locked. K. Jagdish & Ramesh told us that Soham Modi asked them to lock it and not to allow us inside till I withdraw my complaint of GHMC. Soham Modi, a big realtor/builder has high official, political and financial influence. He fearlessly got restrained me, my husband and friend Sheshumamba from entering our flat through his henchmen and got it locked, uncaring the police and law.

Please take necessary legal action against the culprits: Soham Modi, K. Jagdish and Ramesh; get them punished for their offences and also protect us from their illegal acts against our properties and lives.

NACHARAM  
Date: 04-10-07

P. Varalaxmi W/o P. Ravinder Reddy,  
I-402, May Flower Park, Mallapur,  
Ph: 040-27158888, 9490641188

Copy with similar request to:

1. The Asst. Commissioner of Police, Kushaiguda Divn., Cyberabad.
2. The Commissioner of Police, Cyberabad.
3. The Dy. Commissioner of Police, L&O, Cyberabad.

Stop  
5/10/07  
%DCP (L&O)

P. Varalaxmi  
for enquiry, etc.  
& report.

P. Varalaxmi  
10/10  
4/10/07

5-10-07



To  
The Station House Officer,  
Police Station: Nacharam,  
CYBERABAD (RR Dt.)

:: 19 ::

Respected sir,

I humbly submit that I reside in Flat-I-402 in May Flower Park, Mallapur, purchased in 2003 from M/s Modi Properties & Investments Pvt. Ltd., MG Road, Secunderabad, Rep.by: Soham Modi. On noticing a wide crack/cut of our flats from main block due to structural/construction defects and installation/fixture of Reliance Communications machinery & tower on 5<sup>th</sup> floor causing danger to building/lives, I reported to municipal authorities. After thorough and elaborate inspection, GHMC issued notices to M/s Modi to remove Reliance tower & to repair/remove I-Block dilapidated structure. Soham Modi and his hencemen are angry upon my complaining to GHMC and snatching their illegally earned bread thereby.

2. I purchased flat-B416 in Gul Mohar Gardens, Shakti Sai Nagar, Mallapur, through Regd. Sale Deed 19406/06 Dtd:08-12-06 from M/s Modi Ventures, MG Road Secunderabad, rep.by:Soham Modi, Managing Partner.

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Please take necessary legal action against the culprits: Soham Modi, K.Jagdish and Ramesh; get them punished for their offences and also protect us from their illegal acts against our properties and lives.

NACHARAM  
Date:04-10-07

P.Varalaxmi W/o P.Ravinder Reddy,  
I-402, May Flower Park, Mallapur,  
Ph: 040-27158888, 9490641188

Copy with similar request to:

1. The Asst. Commissioner of Police, Kushaiguda Divn., Cyberabad.
2. The Commissioner of Police, Cyberabad.
3. The Dy. Commissioner of Police, L&O, Cyberabad.



Memorandum of Writ Petition Misc. Petition U/S 151 CPC  
IN THE HON'BLE HIGH COURT OF JUDICATURE AT HYDERABAD

WPMP No: OF 2007

IN

W.P.No: OF 2007

Between:

P. Varalaxmi W/o P. Ravinder Reddy,  
aged 47 years, Occ: household, R/o I-402,  
May Flower Park, Mallapur, Rangareddy Dt.

... Petitioner/  
Petitioner

A N D

1. The Special Officer & Commissioner,  
Greater Hyderabad Municipal Corporation,  
Tank Bund, Hyderabad.
2. The Deputy Commissioner,  
Greater Hyderabad Municipal Corporation,  
Kapra Municipality, Rangareddy District.
3. M/s Modi Properties & Investments Pvt. Ltd.,  
5-4-187/3,4, IIIrd Floor, MG Road, Secunderabad.  
500 003.
4. M/s Reliance Communications Ltd.,  
Lake Shore Towers, 6-3-1090/B/1,  
Raj Bhavan Road, Somajiguda, Hyderabad.

... Respondents/  
Respondents

For the reasons stated in the affidavit annexed, the petitioner prays this Hon'ble Court to be pleased to direct the respondents 1 and 2 to take the follow up action upon notice No: G2/884/07 Dtd:20-09-07, under HMC Act 1955 and to proceed further in removing the illegally erected M/s Reliance Communications' tower from the terrace of 5<sup>th</sup> floor, I-Block, May Flower Park, Mallapur, Kapra Zone GHMC, till the disposal of this WP.

HYDERABAD  
Date: 30-10-07.

Counsel for Petitioner





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31-10-07

RANGAREDDY Dist.

HIGH COURT OF ANDHRA PRADESH

WPMP No: OF 2007

IN

W.P.No: OF 2007

INTERIM DIRECTION

O/C  
31-10-07

Filed on: 30-10-07

Filed by: MOHAMMED ZAFARULLAH

ADVOCATE - 726

K. SHYAM KUMAR

ADVOCATE-4243

20-7-106, Qazipura, Hyderabad-50

Ph: 9247173741, 9246283363

Counsel for Petitioner