

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

**THURSDAY, THE TWENTY EIGHTH DAY OF APRIL  
TWO THOUSAND AND TWENTY TWO**

**PRESENT**

**THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI**

**WRIT PETITION NO: 22186 OF 2022**

**Between:**

M/s. Kadakia and Modi Housing, Rep. by its Managing Partner Sohan Modi,  
R/o.H. No.5-4-187/3 and 4, 2nd Floor, soham Mansion, M.G. Road,  
Secunderabad, Telangana State - 500003.

**...PETITIONER**

**AND**

Hyderabad Metropolitan Development Authority, Represented by its Secretary,  
Swarna Jayanthi Commercial Complex, Ameerpet, Hyderabad-500038.

**...RESPONDENT**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ or order or direction declaring the inaction of the Respondent in issuing "Final Layout" and Occupancy Certificate in favour of the petitioner in respect of the gated community in land admeasuring 21112.00 Sq. Meters Or Ac 5-8.6 Gts., in Survey No.1139 of Shamirpet Village and Mandal, Ranga Reddy District as arbitrary, illegal and consequently direct the Respondent to issue "Final Layout" and "Occupancy Certificate" to the Petitioner of the project in land admeasuring 21112.00 Sq. Meters Or Ac5-8.6 Gts., in Survey No.1139 of Shamirpet Village and Mandal, Ranga Reddy District.

**IA NO: 1 OF 2022**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent to consider the letters of the Petitioner dated 06.03.2021 and 24.03.2021 and issue final layout and Occupancy Certificate in favour of the petitioner in respect of the project of the petitioner in land admeasuring 21112.00 Sq. Meters Or Ac 5-8.6 Gts., in Survey No.1139 of Shamirpet Village and Mandal, Ranga Reddy District pending disposal of the writ petition.

**Counsel for the Petitioner: SRI. PRABHAKAR PERI**

**Counsel for the Respondent: V. NARSIMHA GOUD**

**The Court made the following: ORDER**

**THE HONORABLE SMT JUSTICE LALITHA KANNEGANTI**

**W.P.No.22186 of 2022**

**ORDER**

This writ petition is filed questioning the action of respondent in not issuing final layout and occupancy certificate in favour of the petitioner in respect of the gated community in the land admeasuring 21112.00 sq. meters or Ac.5-8.6 gts in Sy.No.1139 situated at Shamirpet Village and Mandal, Ranga Reddy District, as illegal and arbitrary.

2. Heard learned counsel for the petitioner Mr. P. Prabhakar. Though papers are served on the learned Standing Counsel for the respondent, none appeared on behalf of the respondent.

3. Learned counsel for the petitioner submits that the petitioner has made an application to the respondent for building permission for construction of 72 villas and the same was granted on 12.05.2008 and thereafter, the petitioner has completed the constructions. He submits that basing on a false complaint made by some of the purchasers and also after filing of W.P.No.14594 of 2020 by them, the respondent so far has not issued the final layout and the occupancy certificate. He further submits that though the petitioner has made a representation dated 24.03.2021 informing that the entire work is completed and requesting the respondent to inspect the site and

release the final layout and occupancy certificate, the respondent has failed to consider the same.

4. In view of the aforesaid submission, the Writ Petition is disposed of, directing the respondent to consider the representation of petitioner dated 24-03-2021 within a period of four weeks from the date of receipt of a copy of this order. No order as to costs.

5. Miscellaneous petitions, if any pending in this writ petition, shall stand closed.

//TRUE COPY//

SD/-L.LAKSHMI BABU  
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Secretary, Swarna Jayanthi Commercial Complex, Ameerpet, Hyderabad Metropolitan Development Authority, Hyderabad-500038.
2. One CC to SRI. PRABHAKAR PERI, Advocate [OPUC]
3. One CC to SRI. V. NARSIMHA GOUD, Advocate [OPUC]
4. Two CD Copies
5. One Spare Copy



MMT

SW

**HIGH COURT**

**DATED: 28/04/2022**

**ORDER**

**WP.No.22186 of 2022**



**DISPOSING OF THE WRIT PETITION  
WITHOUT COSTS**