

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

THURSDAY, THE TWENTIETH DAY OF AUGUST
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 27179 OF 2026

Between:

Sri Aithagoni Rajesh Goud, S/o. A. Sathaiah Goud, aged about 27 years, Occ. Doctor, R/o. Plot No.68, Christian Colony, Hastinapuram, Karmanghat Village, Saroornagar Revenue Mandal, Ranga Reddy District Presently residing in Abroa, rep. by his General Power Attorney A. Sathaiah Goud s/o Late A.Buchaiah Goud, aged 58 years, R/o. Plot No.68, Christian Colony, Hastinapuram, Karmanghat Village, Saroornagar Revenue Mandal, R.R.District -500097.

AND

...PETITIONER

1. The State of Telangana, rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Hyderabad.
2. Malkajgiri Municipal Corporation, rep. by its Commissioner, Malkajgiri, Hyderabad.
3. The Deputy Commissioner, Circle-14, Hayathnagar Circle, Malkajgiri Municipal Corporation, Hayathnagar, R.R.District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent in issuing the Speaking order bearing No.130/C-14/TPS/MMC/2026 dt. 3-6-2026 and the consequential Proceedings/Order No.130/C-14/TPS/MMC/2026 dated 24.06.2026 for demolition of the structure situated at House No.8-6-117/K/1, Plot No. K/1 Part, Survey No.57, Karmanghat Village, Saroornagar Mandal, Ranga Reddy District, without affording reasonable opportunity of being heard is as illegal, arbitrary, without jurisdiction, violative of the principles of natural justice, and violative of Articles 14 and 300-A of the Constitution of India and consequently set aside the same.

I.A. NO: 1 OF 2026

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 grant stay of all further proceedings pursuant to the Speaking order bearing No. 130/C-14/TPS/MMC/2026 dt. 3-6-2026 and the consequential Proceedings/Order No.130/C-14/TPS/MMC/2026 dated 24.06.2026 issued by the 3rd respondent, pending disposal of the main Writ Petition, in the interest of justice.

Counsel for the Petitioner: MR. CH. PRATAP

Counsel for the Respondent No.1: GP FOR MCPL ADMN AND URBAN DEV

**Counsel for the Respondent Nos. 2 and 3: MR. SRINIVAS RAO PACHWA, S.C.
FOR MMC**

The Court made the following: ORDER

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

THE HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.27179 OF 2026

DATE: 20-08-2026

Between:

Sri Aithagoni Rajesh Goud

.... Petitioner

AND

The State of Telangana,
Rep. by its Principal Secretary,
Municipal Administration & Urban
Development Department,
Secretariat, Hyderabad,
and two others

... Respondents

ORDER: (ORAL)

This writ petition is filed challenging the speaking order No.130/C-14/TPS/MMC/2026, dated 03.06.2026, passed by respondent No.3 - Deputy Commissioner, Circle-14, Hayathnagar, Malkajgiri Municipal Corporation, in respect of premises bearing H.No.8-6-117/K/1 on Plot No. K/1 Part in Survey No.57 of Karmanghat, Hayathnagar, Ranga Reddy District, and also the consequential proceedings No.130/C-14/TPS/MMC/2026 dated 24.06.2026.

2. Heard Mr. Ch. Pratap, learned counsel for the petitioner, and Mr. Srinivas Rao Pachwa, learned Standing Counsel for Malkajgiri Municipal Corporation, appearing for respondent Nos.2 and 3, and perused the material available on record.

3. It is seen from the record that a complaint was lodged on 23.01.2026 by the Christian Colony Association, through its Ex-President, Mr. Mokilla Venkat Reddy, alleging encroachment upon the land forming part of the Christian Colony Layout and the unauthorised commencement of construction of a shed in the subject property bearing H.No. 8-6-117/K/1, situated on Plot No. K/1 Part in Survey No. 57 of Karmanghat, Saroornagar Mandal, Ranga Reddy District. Pursuant thereto, a show-cause notice dated 06.05.2026 was issued to the petitioner's father, directing him to forthwith stop the unauthorised construction and to show sufficient cause as to why the unauthorised construction of the shed should not be demolished departmentally.

4. Learned counsel for the petitioner submitted that the petitioner and his brother, Mr. Aithagoni Sai Kiran Goud, are the owners of the subject property by virtue of the registered sale deed bearing document No.1224 of 2026 dated 11.02.2026. However, the show-cause notice dated 06.05.2026 was issued to the petitioner's

father, Mr. Aithagoni Sathaiah Goud, and not to the petitioner or his brother. Learned counsel further submitted that prior to issuance of the show cause notice dated 06.05.2026, a notice dated 29.04.2026 was issued calling for the ownership documents, link documents, building permission, property tax receipt and any other relevant documents pertaining to the subject property. In response thereto, the petitioner's father submitted reply dated 04.05.2026 enclosing the relevant documents.

5. It is stated that by recording that the petitioner's father had attended the personal hearing and submitted the registered ownership/sale deed documents, link documents, property tax-related records, and layout copy, but had neither submitted the permission copy/sanctioned plan nor stopped the construction work at the subject site, respondent No.3 passed the speaking order dated 03.06.2026, directing the petitioner's father to stop the unauthorised construction of the shed and remove the same within 15 days. Subsequently, another order vide Proceedings No.130/C-14/TPS/MMC/2026, dated 24.06.2026, was issued, directing the petitioner and his brother not to proceed with or continue any construction activity, including the construction of the shed/temporary structure at the subject site, and to remove the

unauthorised shed/structure, if already erected. In the said proceedings, the following three findings were recorded:

“Different layout patterns exist in respect of the subject land, resulting in ambiguity regarding the identity and planning status of the plot.

No valid approved layout permission or authenticated planning record has been produced.

Plot No. K/1 Part is reflected in the registered document submitted by the applicant.”

6. It appears, the subject plot is registered in the name of the petitioner and his brother, Aithagoni Sai Kiran Goud, (sons of Mr. Aithagoni Sathaiah Goud). The representation of Mr. Mokilla Venkat Reddy, Ex-President of the Christian Colony Association, was considered as per the directions of this Court in W.P.15369 of 2026, and by the proceedings dated 24.06.2026, the petitioner and his brother were directed not to proceed with construction activity, or else action will be initiated for removal/demolition of the unauthorized structure departmentally.

7. Learned counsel for the petitioner submitted that the show cause notice dated 06.05.2026 was issued to the petitioner's father, to which he submitted a reply and contested the proceedings.

Subsequently, the proceedings dated 24.06.2026 were issued, in addition to the speaking order dated 03.06.2026.

8. Since the father of the petitioner submitted the reply, it has to be inferred that he represented both his sons i.e., the petitioner and Mr. A. Sai Kiran Goud. In any event, the petitioner cannot ventilate his grievance before this Court against the action of the respondent Corporation in issuing the speaking order dated 03.06.2026 and the proceedings dated 24.06.2026, impugned in this writ petition, when the structures raised by the petitioner are admittedly unauthorized and were constructed without permission.

9. Learned counsel for the petitioner submitted that the structures raised by the petitioner are temporary in nature, covered by asbestos sheets, and were erected only to safeguard the property from encroachment.

10. However, as seen from the photographs on page No. 68 of the material papers, new shutters have been constructed. The sale deed bearing document No. 1224 of 2026, dated 11.02.2026, reveals that the petitioner and his brother, Mr. Aithagoni Sai Kiran Goud, purchased the premises that had been demolished. Thus, the petitioner cannot be permitted to take advantage of the show-cause

notice issued to his father. The petitioner's father consciously participated in the proceedings and submitted a reply along with supporting documents. In the opinion of this Court, the petitioner had a reasonable opportunity to represent his case through his father. As there is a dispute with regard to the existence of Plot No.K/1 Part in the Christian Colony Layout in Survey No.57 of Karmanghat Village, Saroornagar Mandal, Ranga Reddy District, this Court is not inclined to interfere with the speaking order dated 03.06.2026 and the proceedings dated 24.06.2026 impugned in this writ petition.

11. Learned Standing Counsel for respondent Nos.2 and 3 submitted that Plot No. K/1 claimed by the petitioner does not form part of the layout and that it is shown as a triangular area, and not as a plot in the layout.

12. In view of the above, the speaking order No.130/C-14/TPS/MMC/2026, dated 03.06.2026, and the proceedings No.130/C-14/TPS/MMC/2026, dated 24.06.2026, shall be kept in abeyance for a period of four (04) weeks from today. Within this period, the petitioner is at liberty to make an application for grant of building permission. The application so submitted shall be considered by respondent No. 3 in accordance with law by issuing notice to the petitioner and Christian Colony Association / interested

persons and further affording them opportunity of hearing. Respondent Nos.2 and 3 are at liberty to take action against the petitioner subject to outcome of such building application.

13. Accordingly, the writ petition is disposed of. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending in this writ petition, shall stand closed.

//TRUE COPY//

SD/- MOHD. ISMAIL
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, State of Telangana, Hyderabad.
2. The Commissioner, Malkajgiri Municipal Corporation, Malkajgiri, Hyderabad.
3. The Deputy Commissioner, Circle-14, Hayathnagar Circle, Malkajgiri Municipal Corporation, Hayathnagar, R.R.District.
4. One CC to MR. CH. PRATAP, Advocate [OPUC]
5. Two CCs to GP FOR MCPL ADMN AND URBAN DEV High Court for the State of Telangana, at Hyderabad [OUT]
6. One CC to SRI SRINIVAS RAO PACHWA, S.C. FOR GHMC [OPUC]
7. Two CD Copies

AGK

PVL

CC TODAY

HIGH COURT

DATED: 20/08/2026

ORDER

WP.No.27179 of 2026



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

(10) MT
25/8/26