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

WEDNESDAY, THE FOURTH DAY OF JUNE
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HON'BLE SMT JUSTICE K. SUJANA

WRIT PETITION NO: 15429 OF 2025

Between:

Mohammed Abdul Qadeer, S/o. Late Mohammed Ahmed, Age 52 years, Occu.Business, R/o. H. No.22-3-499/500, Mir Alam Mandi, Hyderabad- 02

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Hyderabad.
2. The Greater Hyderabad Municipal Commissioner, Rep. by its Commissioner, Hyderabad.
3. The Deputy Commissioner, Circle No.6, Malakpet, CRZ, GHMC, Hyderabad.
4. Smt. Shahjahan Begum, D/o. Late Mohd. Ahmed, Aged 43 yrs., Occu.House hold, R/o. H.No. 13-5-845, Tapachabutra, Karwan, Hyderabad.

...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 show notice dated 28-05-2025 vide Notice No. 548/TPS/W30/C6/CRZ/GHMC/ 2025 to the petitioner for demolition of property Municipal No. 22-3-499 and 500 situated at Miralam Mandi, Hyderabad for an extent of 40 Sq. Yds as illegal, arbitrary and contrary to Telangana Municipalities Act, 2019 and consequently direct the respondents not to interfere for the altering or renovating the demolished structure by metro rail of Municipal No. 22-3-499 and 500 situated at Miralam Mandi, Hyderabad for an extent of 40 Sq. Yds.

IA NO: 1 OF 2025

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 not to take any coercive measures including demolition of the structures of the petitioner property Municipal No. 22-3-499 and 500 situated at Miralam Mandi, Hyderabad admeasuring 40 Sq. Yds. pending disposal of the above writ petition.

IA NO: 2 OF 2025

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 3rd Respondent not to interfere with the petitioner property Municipal No. 22-3-499 and 500 situated at Miralam Mandi, Hyderabad admeasuring 40 Sq. Yds for altering or renovating the demolished structure by metro rail pending disposal of the above writ petition.

Counsel for the Petitioner: SRI VENKAT REDDY KODUMURY

Counsel for the Respondent No.1: AGP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT

Counsel for the Respondent Nos.2 & 3: SRI D. BALU, REPRESENTING SRI R. VENKATESH, S.C. FOR GHMC

Counsel for the Respondent No.4: --

The Court made the following: ORDER

THE HON'BLE SMT JUSTICE K.SUJANA

WRIT PETITION No.15429 of 2025

O R D E R:

This Writ Petition is filed by the petitioner challenging the impugned show cause notice dated 28.05.2025 issued by respondent No.3 directing the petitioner to submit his explanation enclosing the documents by showing sufficient cause for making unauthorized construction of Ground + 1 upper floor in schedule property i.e., house bearing Nos.22-7-548 to 551, 22-3-498 to 500, 22-3-477 and 22-3-478 situated at Mir Alam Mandi, Hyderabad, within fifteen (15) days from the date of receipt of the impugned show cause notice.

2. Heard Sri Venkat Reddy Kodumury, learned counsel for the petitioner and Sri D.Balu, learned counsel representing Sri R.Venkatesh, learned Standing counsel for respondent Nos.2 and 3-GHMC as well as learned Assistant Government Pleader for respondent No.1. Perused the record.

3. Learned counsel for the petitioner submitted that the respondents are threatening the petitioner for demolishing the constructions in the schedule property without considering the explanation submitted by him on 31.05.2025. Hence, he prayed the Court to restrain the respondents from demolishing the schedule property.

4. On the other hand, learned Standing Counsel for respondent Nos.2 and 3 submitted that the permission is granted to construct Ground + 1 in 70 sq.yards of land. He further submitted that though the petitioner is making construction of Ground + 2 in 40 sq.yards of land, the same is not registered in the GHMC portal.

5. Having regard to the submissions made by both the parties and material available on record, it is apparent that the petitioner has already submitted his explanation on 31.05.2025. Hence, considering the facts and circumstances of the case, this Court is inclined to direct respondent No.3 to consider the explanation given by the petitioner on 31.05.2025. Further, the petitioner is also directed to register in GHMC portal for the purpose of constructions in the schedule property. It is made clear that the respondents are directed not to demolish the schedule property without considering the explanation submitted by the petitioner.

6. With the above directions, the writ petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any pending, shall stand closed.

SD/- P. PONNA KRISHNA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

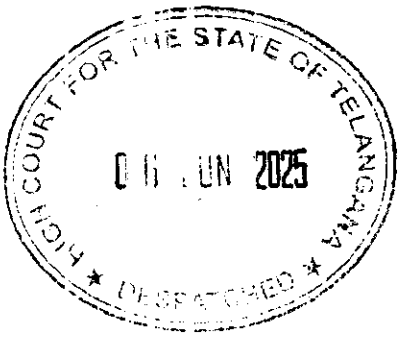
1. The Deputy Commissioner, Circle No.6, Malakpet, CRZ, GHMC, Hyderabad.
2. One CC to SRI VENKAT REDDY KODUMURY, Advocate [OPUC]
3. Two CCs to GP for Municipal Administration and Urban Development, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to SRI R. VENKATESH, S.C. for GHMC [OPUC]
5. Two CD Copies

MP

VACATION COURT

HIGH COURT

DATED:04/06/2025



ORDER

WP.No.15429 of 2025

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

8pm
6/6/25