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

FRIDAY, THE TWENTY FIRST DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

WRIT PETITION NO: 35463 OF 2025

Between:

1. Chettaboyina Ashok, s/o Ch. Jangaiah, Aged 48 yrs, Occ. Business, R/o. H. No. 3-3-5/15/8, Bharat Nagar, Ramanthapur, Uppal, Hyderabad, Telangana.
2. Chettaboyina Mahesh, s/o Ch. Jangaiah, Aged 37 yrs, Occ. Business, R/o Srinagar Colony, Ramanthapur, Hyderabad.
3. Chettaboyina Mallesh, s/o Ch. Jangaiah, Aged 35 yrs, Occ. Business, R/o. H. No. 3-3-5/15/8, Bharath Nagar, Ramanthapur, Hyderabad

...PETITIONERS

AND

1. The State Of Telangana, Rep. by its Principal Secretary to Govt., Revenue Department, Secretariat, Hyderabad, T.S.
2. The District Collector, Ranga Reddy District, Collectorate, Kongarakalan, Ranga Reddy District.
3. The Revenue Divisional Officer, Rajendra Nagar, Ranga Reddy District.
4. The Tahasildar cum Deputy Collector, Serilingampally mandal, Ranga Reddy District.
5. The Mandal Revenue Inspector, Serilingampally mandal, Ranga Reddy District.
6. The Special Officer cum Deputy Collector, Office of Urban Landing Ceiling, Collectorate, Kongarakalan, Ranga Reddy 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 a writ, order or direction, more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents in seeking to demolish the under construction residential building situated in the Northern part of Plot No.252, admeasuring 150 sq. yards forming part of Sy. No.104/1 (part), situated at Kondapur Village, Serilingampally Mandal, GHMC Serilingampally

Circle, Ranga Reddy District, without any authority and without issuing any notice or opportunity and without following due procedure, as being illegal, arbitrary, unconstitutional, in violation of principles of natural justice and in violation of Articles 14, 21 and 300A of constitution of India and consequently direct the respondents not to demolish the structures in the above said residential plot and also direct the respondents not to interfere with the rights of the petitioner in respect of the said plot.

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 respondents not to demolish, interfere or obstruct the ongoing constructions made by petitioner in the Northern part of Plot No.252, admeasuring 150 sq. yards forming part of Sy. No.104/1 (part), situated at Kondapur Village, Serilingampally Mandal, GHMC Serilingampally Circle, Ranga Reddy District pending disposal of the above writ petition.

Counsel for the Petitioner : SRI P.LAKSHMA REDDY

Counsel for the Respondents No.1to6: SRI L.RAVINDER, AGP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE E.V.VENUGOPAL

WRIT PETITION No.35463 of 2025

ORDER :

The present writ petition is filed by the petitioners under Article 226 of the Constitution of India for the following relief :

> *"...to issue a writ, order or direction, more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents in seeking to demolish the under construction residential building situated in the Northern part of Plot No.252, admeasuring 150 sq. yards forming part of Sy. No.104/1 (part), situated at Kondapur Village, Serilingampally Mandal, GHMC Serilingampally Circle, Ranga Reddy District, without any authority and without issuing any notice or opportunity and without following due procedure, as being illegal, arbitrary, unconstitutional, in violation of principles of natural justice and in violation of Articles 14, 21 and 300A of constitution of India and consequently direct the respondents not to demolish the structures in the above said residential plot and also direct the respondents not to interfere with the rights of the petitioners in respect of the said plot and be pleased to pass..."*

2. Heard Sri P.Lakshma Reddy, learned counsel for the petitioners and Sri L. Ravinder, learned Assistant Government Pleader for Revenue, for respondent Nos.1 to 6 and perused the record.

3. Learned counsel appearing for the petitioners submits that the petitioners are developers undertaking construction of a residential complex on Plot No.252, in Survey No.104/1(part), admeasuring 150 sq. yards, situated at Kondapur Village, Serilingampally Mandal, under

GHMC Serilingampally Circle, Ranga Reddy District. Originally Smt. Abbineni Anasuya was the absolute owner and possessor of land in Sy.No.104/1 of Kondpaur Village, Serlingampally Mandal, Ranga Reddy District. She along with three others have divided the lands in Sy.Nos.101, 102, 103, 104/1, 110/2 and 111, total admeasuring Acs.57.20 guntas into house site plots by drawing a layout as per the layout of the then HUDA *vide* letter No.291/MPU/HUDA/82, dated 04.02.1982. The said Smt. Abbineni Anasuya ad three others sold plot No.252 admeasuring 300 sq.yards in the said layout, forming part of Sy.No.104/1, in favour of one Smt. Bharathi K.Rao through registered sale deed bearing document o.16671 of 2003, dated 31.12.2003, who in turn sold the same to the vendors of the petitioners Sri Gandla Ganga Reddy and Sri Kunta Ramulu, under a registered sale deed bearing Document No.11836 of 2012, dated 19.10.2012. The vendors of the petitioners executed a registered Agreement of Sale-Cum-GPA in respect of the northern portion of plot No.252 admeasuring 150 sq. yards out of 300 sq.yards in favour of one Gopireddy Venkata Indranivas Reddy *vide* Document No.2866/2025, dated 03.02.2025. Subsequently, the petitioners purchased the said northern portion of plot No.252 admeasuring 150 sq.yards out of 300 sq.yards through a registered sale deed bearing document No.12333 of 2025, dated 25.08.2025 from the said GPA holder and has been in peaceful possession and enjoyment thereof since then. Pursuant to the said

development agreement, the petitioners obtained valid building permission to construct stilt + 2 upper floors from the GHMC *vide* Permit No.3802/GHMC/IA/C20/2025 in File No. 018245/GHMC/04891/IBAP/C20/2025, dated 23.10.2025.

(a) While construction was proceeding strictly in accordance with the sanctioned plan, respondent Nos.4 and 5 allegedly interfered with the construction activity and threatened demolition without issuing any notice or having any lawful justification, thereby prompting the present writ petition.

(b) The learned counsel for the petitioners further submits that the subject matter of the present writ petition is identical to that in W.P.No.18499 of 2022, wherein this Court, by order dated 05.07.2022, disposed of the said writ petition directing the official respondents not to interfere with the possession, enjoyment and construction being carried on by the petitioners therein. He therefore seeks similar relief in the present case.

(c) It is also submitted that though the subject land, along with adjacent survey numbers, was once the subject matter of proceedings under the Urban Land Ceiling Act, those proceedings were set aside by this Court vide orders in W.P.Nos.10813 and 18342 of 2008 dated 02.03.2009, which were subsequently confirmed by the

Hon'ble Supreme Court in S.L.P. Nos.10424–10427 of 2014, dated 03.02.2014.

4. The learned Assistant Government Pleader for Revenue, representing the learned Government Pleader for Revenue, contends that the petitioners claim of lawful possession and development rights is disputed and subject to verification. The Development Agreement and Power of Attorney relied upon by the petitioners do not exempt the petitioners from compliance with statutory regulations under the GHMC Act, building bye-laws or other applicable laws. It is submitted that any action by respondent Nos.4 and 5 was purely administrative in nature, intended to ensure compliance with statutory provisions and does not amount to arbitrary interference. The writ petition, it is urged, is premature and misconceived.

5. This Court has considered the rival submissions and perused the material placed on record, including the orders passed in W.P. No.18499 of 2022. In that case, based on the written instructions dated 18.04.2022 issued by the District Collector and the letter addressed to the Commissioner and Inspector General, Stamps and Registration Department, Telangana, Hyderabad, in C.C.No.H2/30/82, dated 01.10.2019, this Court held that the Government had no claim over the lands situated in Sy.No.103 and other survey numbers of Kondapur Village and directed deletion of those lands from the list of prohibited

properties notified under Section 22-A of the Registration Act, 1908. Consequently, this Court directed the official respondents therein not to interfere with the possession, enjoyment and construction being carried on by the petitioners pursuant to the permissions granted to them.

(a) As seen from the record, the land covered by the present writ petition forms part of the very same transaction under sale deed Document No.12333 of 2025, dated 25.08.2025 and the subject matter is identical to that in W.P.No.18499 of 2022. Once the lands in Sy.No.103 of Kondapur Village were directed to be released from the prohibited list under Section 22-A of the Registration Act, the same reasoning equally applies to the subject land in Sy.No.104/1(part).

(b) Accordingly and following the reasons and observations made in W.P.No.18499 of 2022, this writ petition is disposed of directing the official respondents not to interfere with the petitioners possession, enjoyment and construction activities being carried on pursuant to the building permission granted vide Permit No.3802/GHMC/IA/C20/2025 in File No. 018245/GHMC/04891/IBAP/C20/2025, dated 23.10.2025, over land admeasuring 150 sq. yards, in Plot No.252, Survey No.104/1(part), situated at Kondapur Village, Serilingampally Mandal, GHMC Serilingampally Circle, Ranga Reddy District, in any manner.

6. With the above directions, the writ petition is disposed of. Needless to mention this order will not preclude the official respondent to follow due process of law as established by law in case if the petitioners are found in illegal possession of the property and if the situation so warrant. There shall be no order as to costs. All miscellaneous applications, if any, shall stand closed.

Sd/-K.BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

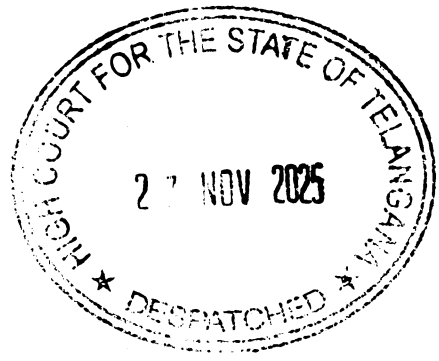
1. The Principal Secretary to Govt., Revenue Department, Secretariat, Telangana State, Hyderabad, T.S.
2. The District Collector, Ranga Reddy District, Collectorate, Kongarakalan, Ranga Reddy District.
3. The Revenue Divisional Officer, Rajendra Nagar, Ranga Reddy District.
4. The Tahasildar cum Deputy Collector, Serilingampally mandal, Ranga Reddy District.
5. The Mandal Revenue Inspector, Serilingampally mandal, Ranga Reddy District.
6. The Special Officer cum Deputy Collector, Office of Urban Landing Ceiling, Collectorate, Kongarakalan, Ranga Reddy District.
7. One CC to SRI P.LAKSHMA REDDY, Advocate. [OPUC]
8. Two CCs to GP FOR REVENUE, High Court for the State of Telangana. [OUT]
9. Two CD Copies.

BSK

PMK

HIGH COURT

DATED:21/11/2025



ORDER

WP.No.35463 of 2025

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

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27/11/25