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

TUESDAY, THE NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 37953 OF 2025

Between:

Bandi Ayodhya Laxmi, W/o Ramamurthy, D/o Late Bandi Veeraswamy, Aged about 59 years, Occ Housewife, R/o H.No. 11-6-240, Municipal Sweeper Quarters, NSP Road, Near Revathi Talkies, Khammam, Khammam District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Hyderabad, Telangana State.
2. The Commissioner, Khammam Municipal Corporation, Khammam.

...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 2nd Respondent in issuing the Notice vide Roc.No.A1/312275/KMC/2025 dated 20.08.2025 addressed to a deceased person and served on petitioner on 5.12.2025, directing petitioner to vacate within 3 days as illegal, arbitrary, violative of Principles of Natural Justice and Article 14 and 21 of the Constitution of India, Consequently, set aside the said Impugned Notice and Direct the Respondents not to interfere with the Petitioner's peaceful possession and enjoyment of the property H.No. 11-6-240, Municipal Sweeper Quarters, Khammam, except by following the due process of law.

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 interfere with the Petitioner's peaceful possession and enjoyment of the property H.No. 11-6-240, Municipal Sweeper Quarters, Khammam, during the pendency of this writ petition.

Counsel for the Petitioner: SRI SANDEEP KUMAR BODLA
Counsel for the Respondent No.1: GP FOR MCPL ADMN & URBAN DEV
Counsel for the Respondent No.2: SRI P.SRIDHAR RAO, SC FOR MPCL

The Court made the following: ORDER

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITON No.37953 OF 2025

DATE OF ORDER: 09-12-2025

Between:

Mrs. Bandi Ayodhya Laxmi

... Petitioner

AND

The State of Telangana
Rep. By its Principal Secretary,
Municipal Administration and Urban Development Department,
Secretariat, Hyderabad, and one (1) another.

... Respondents

ORDER : (ORAL)

This writ petition is filed by the petitioner seeking to declare the action of respondent No.2 in issuing the notice *vide* Roc.No.A1/312275/KMC/2025 dated 20.08.2025 directing her to vacate the property bearing H.No.11-6-240, Municipal Sweeper Quarters, Khammam, within a period of three (3) days, as being illegal and arbitrary.

2. Heard Mr. Sandeep Kumar Bodla, learned counsel for the petitioner, and Mr. P. Sridhar Rao, learned standing counsel for respondent No.2.

3. It is stated that the father of the petitioner, ate Mr. Bandi Veeraswamy, was employed as Public Health Worker with Khammam Municipality and he was allotted the subject residential quarters. The father of petitioner died on 05.06. 991, while in service. Subsequently, the mother of petitioner, late Mrs. Bandi Guravamma, was appointed as Public Health Worker on compassionate grounds *vide* proceedings dated 16.01.1992 issued by the Khammam Municipal Council. The mother of petitioner continued to occupy the quarters and she attained superannuation on 31.07.2004 and died on 26.05.2019. The petitioner being daughter and surviving legal heir continued to occupy the quarters. The petitioner is uneducated and does not have any source of livelihood.

4. It is further stated that the impugned notice dated 20.08.2025 was issued in the name of the father of petitioner, in violation of

principles of natural justice. The petitioner cannot be vacated without following due process of law and without affording opportunity of hearing. The impugned notice has been issued in the name of dead person, who passed away thirty four (34) years ago.

5. Learned standing counsel for respondent No.2 submitted that admittedly the petitioner is in unauthorized occupation. Initially, her father, late Mr. Bandi Veeraswamy, subsequently, her mother late Mrs. Bandi Guravamma, were allotted the quarters. Both of them died and the petitioner cannot be continued to occupy the quarters.

6. The only grievance of the petitioner is that without issuing any notice she was asked to vacate the quarters. The impugned notice was issued in the name of Mr. Bandi Veeraswamy, father of the petitioner, who is a dead person. It is not the case of the petitioner that she is entitled to continue in the said quarters. After the death of her parents, she ought to have surrendered the quarters to respondent No.2; merely because she is continuing to stay in the

quarters she will not be vested with any legal right. Though, the impugned notice is issued in the name of Mr. Bandi Veeraswamy, it was received by the petitioner. Thus, issuing directions to respondent No.2 to follow principles of natural justice will not serve any useful purpose and would be an empty formality. The petitioner cannot be continued to stay in the said quarters for an indefinite period. However, considering the socio-economic conditions of the petitioner, three (3) months time is granted to the petitioner to the vacate the subject property.

7. In view of the above, the writ petition is disposed of, directing respondent No.2 not to interfere with the peaceful possession and enjoyment of the petitioner over the property bearing H.No.11-6-240, Municipal Sweeper Quarters, Khammam, for a period of three (3) months from today. The petitioner shall vacate the subject property and handover the vacant and physical possession of the subject property to respondent No.2 within this time. Respondent No.2 is also at liberty to recover the rent arrears and current rent in respect of the subject property, by following due process of law. There shall be no order as to costs.

As a sequel thereto, miscellaneous applications, if any, pending in the writ petition stand closed.

SD/- A.JAYASREE
ASSISTANT REGISTRAR

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//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Hyderabad, Telangana State, State of Telangana.
2. The Commissioner, Khammam Municipal Corporation, Khammam.
3. One CC to SRI SANDEEP KUMAR BODLA, Advocate [OPUC]
4. Two CCs to GP FOR MCPL ADMN & URBAN DEV, High Court for the State of Telangana, at Hyderabad. [OUT]
5. One CC to SRI P.SRIDHAR RAO, SC FOR MPCL [OPUC]
6. Two CD Copies

PSK.
PSK

CC TODAY

HIGH COURT

DATED:09/12/2025

ORDER

WP.No.37953 of 2025



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

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ASV
9/12/25