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

WEDNESDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION NO: 40432 OF 2025

Between:

Mohammed Abdul Aziz, S/o Mohammed Shakir aged about 25 years, Occ: Business, R/o H.No.17-3-294/1, Imliban, Outside Yakutpura, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development, Dr.B.R. Ambedkar Secretariat, Hyderabad.
2. Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Lower Tank Bund, Hyderabad.
3. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Circle No.7, Santoshnagar Circle, Phool Bagh, Charminar Zone, Hyderabad
4. The Sub Registrar, Azampura, Hyderabad.
5. The Station House Officer, Rein Bazar Police Station, Hyderabad.
6. Smt. Banu Begum, W/o Not known to the petitioner Aged- Major, Occ- Not known to the petitioner R/o.H.No.17-3-198/2/19, Sadath Nagar, Yakutpura, Hyderabad-TG
7. Smt. Saleha Fatima, W/o Not known to the petitioner Aged- Major, Occ- Not known to the petitioner R/o H.No.17-3-198/2/19, Sadath Nagar, Yakutpura, Hyderabad-TG
8. Smt. Ayesha Begum, W/o Not known to the petitioner Aged- Major, Occ- Not known to the petitioner R/o.H.No.17-3-198/2/19, Sadath Nagar, Yakutpura, Hyderabad-TG

...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 or writs or order or orders one more particularly in the nature of Writ of Mandamus to declare the Notice No.441595/TPS/C7/CHRZ/GHMC/2025 dated 06-12-2025 issued by the 3rd respondent under Section 450 of GHMC Act, 1955 in respect of the petitioners

house bearing No.17-3-294/1, Bada Bazar, Reinbazar, Hyderabad, Permit No.441588/GHMC/17148/2024 dated 24-10-2024 and Work Commencement Letter No.441595/GHMC/17149/2024 dated 24-10-2024 and the work commencement letter and complaints from the unofficial respondents 6 to 8 as arbitrary, illegal and exceeds the jurisdiction of the 3rd respondent and is in violation of Article 14, 21 and 300-A of the Constitution of India and consequently set aside the impugned notice No.441595/TPS/C7/CHRZ/GHMC/2025 dated 06-12..2025 issued by the 3rd respondent.

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 stay all further proceedings of the impugned notice No.441595/TPS/C7/CHRZ/GHMC/2025 dated 06-12-2025 issued by the 3rd respondent, pending disposal of the writ petition.

Counsel for the Petitioner: SRI IKRAM HUSSAIN MATEEN

Counsel for the Respondent No.1: GP FOR MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT

Counsel for the Respondent No.2 & 3: SRI RAPARTHI VENKATESH, SC FOR GHMC

Counsel for the Respondent No.4: GP FOR REVENUE

Counsel for the Respondent No.5: ASST. GP FOR HOME

Counsel for the Respondent No.6 to 8: - - - -

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.40432 OF 2025

DATE OF ORDER: 31-12-2025

Between:

Mr. Md. Abdul Aziz S/o. Mohd. Shakir

... Petitioner

AND

The State of Telangana
Rep. By its Principal Secretary,
Municipal Administration and Urban Development Department, Secretariat, Hyderabad, and seven (07) others.

... Respondents

ORDER : (ORAL)

This writ petition is filed by the petitioner seeking to declare the action of respondent No.3 in issuing show-cause notice *vide* Notice No.441595/TPS/C7/CHRZ/GHMC/2025 dated 06.12.2025 under Section 450 of the Greater Hyderabad Municipal Corporation Act 1955 (GHMC Act) in respect of the property bearing H.No.17-3-294/1, Bada Bazar, Rein Bazar, Hyderabad, as

being illegal, arbitrary and violative of Articles 14, 21 and 300-A of the Constitution of India.

2. Heard Mr. Ikram Hussain, learned counsel for the petitioner, and Mr. Raparthi Venkatesh, learned standing counsel for the GHMC, appearing for respondent Nos.2 and 3, and learned Assistant Government Pleader for Home, appearing for respondent No.5.

3. The petitioner claims to be owner and possessor of the property bearing H.No.17-3-294/1 PTI No.104172398 consisting of Ground + two (2) upper floors admeasuring 150 square yards having purchased the same under registered sale deed bearing document No.7158 of 2025 dated 30.09.2025 from the previous owners, Mrs. Mehraj Sultana and Mrs. Asfia Sultana. That originally Mrs. Kamarunnisa Begum W/o. Syed Abdul Khader was the owner of the of the subject property by virtue of sale deed bearing document No.134 of 1997 dated 29.01.1997. Mrs. Kamarunnisa Begum orally gifted the subject property to her daughter, Mrs. Iqbal Begum W/o. Late Syed Khaja Shareef on 20.06.1997 in the presence of two (2) witnesses. Subsequently,

Mrs. Iqbal Begum gifted the property to Mrs. Mehraj Sultana and Mrs. Asfia Sultana (vendors of the petitioner) under notarized gift deeds (Hiba) dated 26.02.2019 for an extent of 75 square yards each. The vendors of the petitioner obtained two (2) separate building permissions in File Nos.441588/GHMC/17148/2024 dated 15.10.2024 and 441595/GHMC/17149/2024 dated 15.10.2024 for construction of two (2) buildings. They constructed two (2) buildings consisting of ground + first (1) floor and thereafter sold the subject property to the petitioner under registered sale deeds.

4. While so, the petitioner received show-cause notice dated 06.12.2025 from respondent No.3 under Section 450 of the GHMC Act alleging that building permission was obtained by the vendors of the petitioner by indulging in misrepresentation and misguiding of facts which attracts Section 450 of the GHMC Act.

5. It is submitted that a suit in O.S. No.1584 of 2025 was filed by the petitioner before the learned XVIII Additional Senior Civil Judge, City Civil Court, Hyderabad, seeking declaration and perpetual injunction against Mrs. Banu Begum, Mrs. Saleha Fatima and Mrs. Ayesha Begum.

6. Learned counsel for the petitioner submitted that vendors of the petitioner are no more interested in the subject property. The petitioner submitted reply to the show-cause notice dated 06.12.2025 through legal notice dated 22.12.2025 However, without considering the same respondent authorities are threatening to demolish the subject property.

7. Learned standing counsel for the GHMC submitted that so far orders have not been passed against the petitioner. That reply if any submitted by the petitioner to the show-cause notice dated 06.12.2025 will be considered and orders will be passed in accordance with law.

8. Learned Assistant Government Pleader for Home placed on record written instructions and submitted that so far petitioner has not approached respondent No.5 - the Station House Officer, Rein Bazar Police Station and not lodged any complaint. As and when complaint is lodged necessary action will be taken in accordance with law.

9. The show-cause notice dated 06.12.2025 reveals that earlier show-cause notice dated 10.12.2024 was issued to the vendors of the petitioner under Sections 451(1) and 461(1) of the GHMC Act regarding the deviations made by them in the subject property. Thereafter, speaking order dated 21.01.2025 has been passed for removing the unauthorized construction within fifteen (15) days. Even after speaking order is passed, vendors of the petitioner proceeded with the unauthorized construction and work is still going on. Subsequently, impugned show-cause notice was issued to the petitioner under Section 450 of the GHMC Act for revoking building permission.

10. In the light of the above facts and circumstances, this Court is not inclined to interfere with the show-cause notice dated 06.12.2025 as speaking order is already passed against the vendors of the petitioner. However, as it is submitted by the learned counsel for the petitioner that reply has been submitted by the petitioner to the show-cause notice dated 06.12.2025 by legal notice dated 22.12.2025, without expressing any opinion on merits, the writ petition is disposed of directing respondent No.3 not to

interfere with the peaceful possession and enjoy nent of the petitioner over the property bearing H.No.17-3-294/1, admeasuring 150 square yards situated at Bada Bazar, Rein Baza , Hyderabad, without following due process of law. However, res ondent No.3 is at liberty to take action against the petitioner pu suant to the enquiry in furtherance of the show-cause notice date 06.12.2025, by considering the reply submitted by the petitioner hrough legal notice dated 22.12.2025, within a period of four (4) w eks from the date of receipt of a copy of this order.

9. As this order is passed without entering into nerits of the case, notice to respondent Nos.6 to 8 is dis ensed with. If respondent Nos.6 to 8 are in anyway aggrieved l y this order, they are at liberty to approach this Court seeking m dification of this order. There shall be no order as to costs.

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

SD/-MOHD.ISMAIL
EPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and U ban Development, The State of Telangana, Dr.B.R. Ambedkar Secretariat, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corp ration, Lower Tank Bund, Hyderabad.

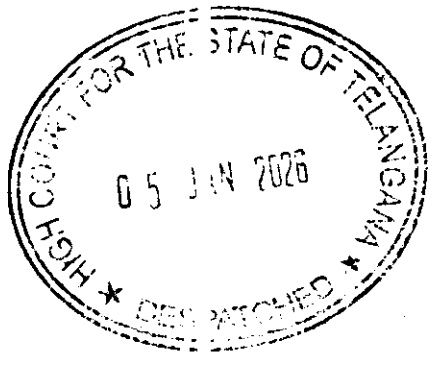
3. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Circle No.7, Santoshnagar Circle, Phool Bagh, Charminar Zone, Hyderabad
4. The Sub Registrar, Azampura, Hyderabad.
5. The Station House Officer, Rein Bazar Police Station, Hyderabad.
6. One CC to SRI IKRAM HUSSAIN MATEEN, Advocate [OPUC]
7. One CC to SRI RAPARTHI VENKATESH, SC for GHMC [OPUC]
8. Two CCs to GP FOR MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT, High Court for the State of Telangana. [OUT]
9. Two CCs to GP FOR HOME, High Court for the State of Telangana. [OUT]
10. Two CCs to GP FOR REVENUE, High Court for the State of Telangana. [OUT]
11. Two CD Copies

BN

GJP

HIGH COURT

DATED:31/12/2025



ORDER

WP.No.40432 of 2025

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

16
ASM
5/1/26