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

WEDNESDAY, THE TWENTY FIRST DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

WRIT PETITION NO: 26816 OF 2024

Between:

Nageshwar Rao, S/o Sammaiah, Age. 50, Occ. Business, R/o H.No. 5-81, Pasra Village, Govindaraopet Mandal, Mulugu District, Telangana State

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Panchayat Raj and Rural Development Department, Secretariat Building, TS Secretariat, Hyderabad.
2. The District Collector (Panchayat Wing), Sangareddy, Sangareddy District.
3. The District Panchayat Officer, Mulugu, Mulugu District, Telangana State.
4. The Divisional Engineer, Roads and Buildings, Mulugu District, Telangana State.
5. The Gram Panchayat Pasra, Represented by Panchayat Secretary, Govindaraopet Mandal, Mulugu District, Telangana State.
6. Sri Yanala Anantha Reddy, S/o Laxma Reddy Age 63 years Occ Business R/o H No. 5-80 Pasra Nagaram Village Govindaraopet Mandal Mulugu District.
7. Sri Sagaraboyina Saraiah, S/o S Sammaiah Aged 65 years Occ Fruit Shop R/o H No 580 Pasra Nagaram Village Govindaraopet Mandal Mulugu District
8. Sri Thiparthi Brahmachari, S/o Gopaiah Age 70 years Occ Gold Shop All are R/o H No 580 Pasra Nagaram Village Govindaraopet Mandal Mulugu 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 or any other order or Writ declaring the inaction of the respondents No. 2 to 5 in not considering the representation dated 05/02/2024 and 07/02/2024 given by the petitioner herein as illegal, arbitrary and violation of

Art 14, 21 and 300A of the constitution of India and the Principles of Natural Justice and consequently direct the Respondents No. 3 and 5 to demolish the illegal encroachment upon petitioner's property and which is also obstructing the road from Pasra to Karlapalli and also to compensate the petitioner for acquiring the land for road widening under land acquisition.

IA NO: 1 OF 2024

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 no: 3 and 5 to demolish the house bearing no. 5-80 which is illegal and unauthorized encroachment by unofficial respondent upon the petitioner's property which obstructing the road from Pasra to Karlapallisituated at Pasra Village and Gram Panchayat, Govindaraopet Mandal, Mulugu District, pending disposal of the Writ Petition.

Counsel for the Petitioner: SRI JALAPALLI MADHAVI REDDY

Counsel for the Respondent No.1 to 3: GP FOR PANCHAYAT RAJ RURAL DEV

Counsel for the Respondent No.4: GP FOR ROADS & BUILDINGS

Counsel for the Respondent No.5: SRI K.PRADEEP REDDY, SC FOR ZPTC

Counsel for the Respondent No.6 to 8: SRI K.BUCHI BABU

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE SMT. JUSTICE T. MADHAVI DEVI

WRIT PETITION No.26816 OF 2024

DATE : 21.01.2026

Between:

Nageshwar Rao

...Petitioner

AND

The State of Telangana,
Represented by it's Principal Secretary,
Panchayat Raj & Rural Development Department,
Secretariat Building, TS Secretaria,
Hyderabad & 2 others

...Respondents

ORDER:

In this writ petition, the petitioner is seeking to declare the action of respondent Nos.2 to 5 in not considering his representation, dated 05.02.2024 and 07.02.2024, as illegal and arbitrary and consequently seeks a direction to respondent Nos.3 and 5 to demolish the illegal encroachment upon the petitioner's

property and to pass such other order or orders as this Court may deem fit.

2. Heard learned counsel for the petitioner, the learned Government Pleader for Panchayat Raj & Rural Development appearing for respondents Nos.1 to 3, the learned Government Pleader for Roads and Buildings appearing for respondent No.4, learned Standing Counsel for ZPTC appearing for respondent No.5 and Sri K. Buchi Babu, learned counsel appearing for respondent Nos.6 to 8.

3. Brief facts of the case are that the petitioner's father had constructed a house with permission from the Gram Panchayat dated 01.03.1989, leaving a setback of 55 feet on the side of Hanamkonda to Eturunagaram Road and left a setback of 33 feet on the side of Pasra to Karlapalli Road. It is submitted that within the 33 feet setback, one lady from Madras had erected a small temporary structure and was residing therein and when the petitioner's father raised objections, she threatened to commit suicide if she was disturbed. The Gram Panchayat also had assigned a house number. It is further submitted that she subsequently constructed three rooms and later passed away.

The petitioner thereafter made a representation to remove the illegal structure, but no action was taken by the authorities and therefore, the petitioner has filed the present Writ Petition.

4. Notices have been served on the unofficial respondents. However, no counter affidavit has been filed by them till date. The official respondents have filed a counter affidavit stating that the structure raised within the 33 feet setback of the petitioner's property is unauthorized and is obstructing the free flow of traffic, thereby causing inconvenience to commuters. It is stated that the notices for removal of the said structure were issued to the unofficial respondents on 18.01.2023, but no explanation has been given by them till date. Since no counter affidavit was filed by the unofficial respondents and in view of the photographs obtained from Google Maps filed by the petitioners, which shows that the subject construction is obstructing the road, respondent Nos.3 to 5 are directed to take action against the said construction in accordance with law. At this juncture, the learned counsel for the respondent Nos.5 and 6 requested for liberty to make representation to the respondent authorities. Liberty is accordingly given.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

SD/- P. PONNA KRISHNA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Panchayat Raj and Rural Development Department, Secretariat Building, TS Secretariat, Hyderabad, State of Telangana.
2. The District Collector (Panchayat Wing), Sangareddy, Sangareddy District.
3. The District Panchayat Officer, Mulugu, Mulugu District, Telangana State.
4. The Divisional Engineer, Roads and Buildings, Mulugu District, Telangana State.
5. The Panchayat Secretary, Gram Panchayat Pasra, Govindaraopet Mandal, Mulugu District, Telangana State.
6. One CC to SRI JALAPALLI MADHAVI REDDY, Advocate [OPUC]
7. One CC to SRI K.BUCHI BABU, Advocate [OPUC]
8. One CC to SRI K.PRADEEP REDDY, SC FOR ZPTC [OPUC]
9. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV High Court for the State of Telangana at Hyderabad [OUT]
10. Two CCs to GP FOR ROADS & BUILDINGS, High Court for the State of Telangana at Hyderabad [OUT]
11. Two CD Copies

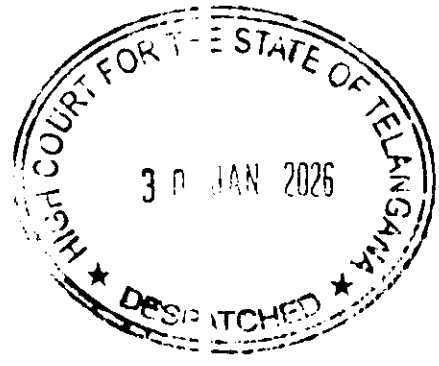
BSR

HIGH COURT

DATED: 21/01/2026

ORDER

WP.No.26816 of 2024



DISPOSING OF THE WRIT PETITION,

WITHOUT COSTS

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tcpj

30/1/26