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

TUESDAY, THE SIXTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 33571 OF 2026

Between:

Dr Rupam Borgohain, S/o Col Benudhar Borgohain Age 64 Years Occ Doctor R/o Plot No25 (Part) Survey No86 Part Richmond Park Kondapur (V) Serilingampally (M) Ranga Reddy District TG

...PETITIONER

AND

1. The State of Telangana, Rep by Principle Secretary Muncipalites administration Urban development Secretariat Hyderabad
2. The State of Telangana, Rep by its Principle Secretary Revenue (ULC) Department Secretariat Hyderabad
3. The Cyberabad Municipal Corporation, Rep by its Commissioner at NAC Building Hitex Madhapur Hyderabad TG
4. The Greater Hyderabad Municipal Corporation, Rep by Deputy Commissioner Circle No. 20 Serilingampally Ranga Reddy District
5. The Asst City Planner, Greater Hyderabad Municipal Corporation Serilingampally Ranga Reddy District
6. The District Collector, Integrated District Office Complexes Kangara Kalan Village Ibrahimpatnam Mandal Ranga Reddy District Telangana 501510

...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 writ order or direction more particularly one in the nature of writ of Mandamus and declaring the action of the respondent No3 4 and 5 issuing the intimation Letter vide File No021601/CMC/01974/SWBP/SLP2/2026-ADD dated 23-07-2026 is arbitrary illegal and violative of Articles 14 21 and 300-A of

Constitution of India and consequently set aside intimation Letter vide File No021601/CMC/1974/SWBP/SLP2/2026-ADD dated 23-07-2026 and direct respondent No3 4 and 5 to process the Residential building permission for altered stilt 1st -3rd floor and proposed 4th floor admeasuring 469.44 Sq yards over an extent of 392.44 Sq Mt vide building permission File No 021601/CMC/01974/SWBP/SLP2/2026-ADD dated 06-07-2026 and issue work permit order in respect of Plot No25 (Part) admeasuring 469.44 Sq yards in Survey No86 Part situated at Richmond Park Kondapur (V) Serilingampally (M) Ranga Reddy District TG and bounded by North Neighbour's South: Plot No25 (Part) East: Plot Nos26 and 27 West 40' Ft Road without insisting the production of clearance Certificate/NOC from ULC authorities

I.A. NO: 1 OF 2026

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 set aside intimation Letter vide File No021601/CMC/01974/SWBP/SLP2/2026-ADD dated 23-07-2026 and direct respondent No3 4 and 5 to process the Residential building permission for altered stilt + 1st - 3rd floor and proposed 4th floor admeasuring 469.44 Sq yards over an extent of 392.44 Sq Mt and issue work permit order in respect of Plot No25 (Part) admeasuring 469.44 Sq yards in Survey No86 Part situated at Richmond Park Kondapur (V) Serilingampally (M) Ranga Reddy District TG and bounded by North Neighbours South Plot No25 (Part) East Plot Nos26 and 27 West 40 Ft Road without insisting the production of clearance Certificate/NOC from ULC authorities

Counsel for the Petitioner: SRI THAKUR ROOPA SINGH

Counsel for the Respondent No.1: GP FOR MCPL ADMN URBAN DEV

Counsel for the Respondent Nos. 2 & 6 : GP FOR REVENUE

Counsel for the Respondent Nos. 3 to 5 : SRI K. RAVI MAHENDER, SC FOR CMC

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITON No.33571 OF 2026
(CNR No.HBHC010688232026)

DATE: 06-10-2026

Between:
Dr. Rupam Borgohain

... Petitioner

AND

The State of Telangana
Rep. by its Principal Secretary,
Municipal Administration and Urban Development Department,
Secretariat, Hyderabad and others

... Respondents

ORDER : (ORAL)

Heard Mrs. Thakur Roopa Singh, learned counsel for the petitioner and Mr. K. Ravi Mahender, learned standing counsel for Cyberabad Municipal Corporation (CMC) appearing for respondent Nos.3 to 5.

2. Learned counsel for the petitioner submitted that petitioner is the owner of the property bearing Plot No.25 (part) admesuring 469.44 square yards in Survey No.86 Part, situated at Richmond Park, Kondapur Village, Serilingampally Mandal, Ranga Reddy

Disrict. Petitioner applied for building permission in File No.014963/GHMC/04227/IABP/C20/2025 dated 01.09.2025 for construction of stilt for parking + three (3) upper floors. After verification, petitioner was granted building permit order and work commencement letter on 09.09.2025. Petitioner constructed the building as per the sanctioned plan. Thereafter, petitioner intended to construct additional fourth (4^{th}) floor and accordingly, he submitted revised building permission in File No.021601/CMC/01974/SWBP/SLP2/2026-ADD dated 06.07.2026. Pursuant thereto, impugned intimation letter dated 23.07.2026 was issued to the petitioner stating that revised building permission application of the petitioner is kept on hold until report is received from the Revenue Department.

3. Learned counsel for the petitioner submitted that when building permit order and work commencement letter dated 09.09.2025 for construction of Stilt for parking + three (3) upper floors was granted, the objections with regard to Revenue/Urban Land Ceiling (ULC) are not taken, then the question of taking such objections in the revised building permission does not arise.

In fact, building has been constructed by the petitioner in accordance with sanctioned plan and photographs to that affect are placed on record.

4. Learned standing counsel for CMC submitted that application of the petitioner has not been rejected, it is kept on hold, the title of the petitioner is being verified and the application will be processed as expeditiously as possible.

5. It is not in dispute, the petitioner was granted building permission for construction of Stilt + three (3) upper floors on 09.09.2025 and thereafter, petitioner constructed building. Thus, the revised building permission cannot be kept on hold and it is unsustainable. It is settled law that building permission is granted based on *prima facie* title and this Court in **Hyderabad Potteries Private Limited v. Collector, Hyderabad District**[1] held that Municipal Corporation cannot insist for production of No Objection Certificate (NOC) from the Revenue Department.

[1] (2001) 3 ALD 600

6. In view of the above, the writ petition is allowed setting aside the impugned intimation letter in File No.021601/CMC/ 01974/SWBP/SLP2/2026-ADD dated 23.07.2026. Respondent Nos.3 to 5, as the case may be, are directed to consider the revised building permission application of the petitioner in File No.021601 /CMC/01974/SWBP/SLP2/2026-ADD dated 06.07.2026, without reference to the impugned intimation letter dated 23.07.2026, by affording opportunity of hearing to the petitioner, within a period of twenty one (21) days from the date of receipt of a copy of this order. 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.H.S.GOWRI SHANKAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principle Secretary Muncipalites administration Urban development Secretariat, State of Telangana, Hyderabad
2. The Principle Secretary Revenue (ULC) Department Secretariat, State of Telangana, Hyderabad

3. The Commissioner, Cyberabad Municipal Corporation, at NAC Building Hitex Madhapur Hyderabad TG
4. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Circle No. 20 Serilingampally Ranga Reddy District
5. The Asst City Planner, Greater Hyderabad Municipal Corporation Serilingampally Ranga Reddy District
6. The District Collector, Integrated District Office Complexes Kangara Kalan Village Ibrahimpatnam Mandal Ranga Reddy District Telangana 501510
7. One CC to SRI THAKUR ROOPA SINGH, Advocate [OPUC]
8. One CC to SRI K. RAVI MAHENDER, SC FOR CMC, Advocate [OPUC]
9. Two CCs to GP FOR MCPL ADMN URBAN DEV, High Court for the State of Telangana, at Hyderabad [OUT]
10. Two CCs to GP FOR REVENUE, High Court for The State of Telangana, at Hyderabad [OUT]
11. Two CD Copies

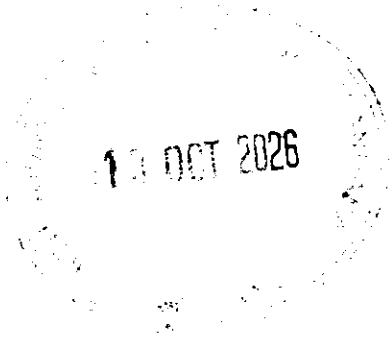
PVL

TKS

HIGH COURT

CC-TODAY

DATED: 06/10/2026



ORDER

WP.No.33571 of 2026

ALLOWING THE WRIT PETITION

WITHOUT COSTS

(5)

T.P

12/10/26