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

THURSDAY, THE EIGHTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 33872 OF 2026

Between:

M/s Aisha Traders, rep by its Proprietor Md.Jafar S/o Goremiya Aged about 27 years, Occ: Business R/o H.No. 2-3-655/C/13, Bagh Amberpet, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, rep by its Principal Secretary Municipal Administration and Urban Development Department, Secretariat, Hyderabad.
2. Malkajgiri Municipal Corporation (MMC), rep by its Deputy Commissioner Keesara Circle, Malkajgiri Zone Medchal Malkajgiri District.
3. The Deputy Director, Veterinary Section Malkajgiri Municipal Corporation (MMC) HMDA Complex, Tarnaka, Hyderabad.

...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 an appropriate writ order or direction, particularly one in the nature of Writ of Mandamus declaring the action of the respondents in issuing e-procurement Notice vide Lr.No. EE/VET/MMC/2026 dated 01-10-2026 for the same work which the respondents have allotted to the petitioner through Agreement No. 01/DC/C1/MKZ/MMC/2026-27 dated 12-08-2026 by collecting huge amount of Rs.4,48,632/- is arbitrary and illegal and consequently issue direction to the respondents to cancel the e-procurement Notice by continuing the petitioner pursuant to the agreement dated 12-08-2026.

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 stay of all further proceedings in pursuant to issuing of e-procurement Notice vide Lr.No.

EE/VET/MMC/2026 dated 01-10-2026 by the respondent No.3 pending disposal of the Writ Petition in the interest of justice.

Counsel for the Petitioner: SRI MOHD ASIFUDDIN

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

Counsel for the Respondent No.2 & 3: SRI G. MADHUSUDHAN REDDY, SC FOR MMC

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.33872 OF 2026
(CNR No.HBHC010692382026)

DATE: 08-10-2026

Between:
M/s. Aisha Traders

... 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 Mr. Md. Asifuddin, learned counsel for the petitioner and Mr. G. Madhusudhan Reddy, learned standing counsel for Malkajgiri Municipal Corporation (MMC) appearing for respondent Nos.2 and 3.

2. Grievance of the petitioner is that agreement dated 12.08.2026 was entered into by respondent No.2 with the petitioner for a period from August, 2026 to March, 2027. The agreement of

the petitioner is valid till 31.03.2027 and before expiry of such agreement, respondent No.2 could not have issued tender notice.

3. Learned standing counsel for MMC placed on record written instructions and submitted that petitioner and one M/s. Samreen Enterprises were appointed on nomination basis and entrusted with work of lifting and disposal of Animal Carcass Waste. The agreement expired on 31.03.2026. The Municipal Corporation decided to extend the services of existing agencies including the petitioner until fresh tenders are called for. Accordingly, considering the essential nature of work, the contract of the petitioner was extended at the existing rates until finalization of fresh tenders.

4. Learned standing counsel relied upon Clause-6 of the Agreement dated 12.08.2026 whereby the Municipal Corporation has right to terminate/cancel the agreement at any time in case of Government instructions, administrative requirements or failure of the Agency to perform the work satisfactorily, subject to the applicable terms and conditions.

5. Learned counsel for the petitioner fairly stated that earlier petitioner was having agreement for collection of Animal Waste which expired on 31.03.2026 and subsequently on nomination basis agreement dated 12.08.2026 was entered by the petitioner with MMC. Further, learned counsel contended that the agreement is valid until 31.03.2027 and petitioner has right to continue till 31.03.2027.

6. As it is not in dispute, the extension of petitioner's agreement was on nomination basis and earlier agreement of petitioner expired on 31.03.2026, the relief sought by the petitioner cannot be granted in this writ petition, more particularly, in view of Clause-6 of the agreement dated 12.08.2026.

7. According to learned standing counsel of MMC, services of the petitioner will be continued until new contractor is appointed pursuant to the tenders.

8. In the light of above submissions, the writ petition is disposed of, directing respondent No.3 not to discontinue the services of the petitioner until finalization of tenders and until

sufficient time is given to the petitioner to discontinue their services. Petitioner is also at liberty to participate in the tenders. 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

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SECTION OFFICER

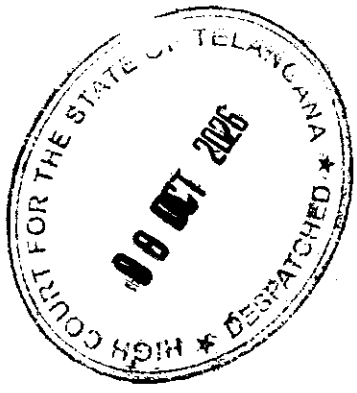
To,

1. The Principal Secretary Municipal Administration and Urban Development Department, The State of Telangana, Secretariat, Hyderabad.
2. The Deputy Commissioner Malkajgiri Municipal Corporation (MMC), Keesara Circle, Malkajgiri Zone Medchal Malkajgiri District.
3. The Deputy Director, Veterinary Section Malkajgiri Municipal Corporation (MMC) HMDA Complex, Tarnaka, Hyderabad.
4. One CC to SRI MOHD ASIFUDDIN, Advocate [OPUC]
5. One CC to SRI G. MADHUSUDHAN REDDY, SC FOR MMC [OPUC]
6. Two CCs to GP FOR MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT, High Court for the State of Telangana, at Hyderabad [OUT]
7. Two CD Copies

BN

HIGH COURT

DATED: 08/10/2026



ORDER

WP.No.33872 of 2026

DISPOSING OF THE WRIT PETITION WITHOUT COSTS

(10) SPN

8/10/26