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

WEDNESDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE LAXMI NARAYANA ALISHETTY

WRIT PETITION NO: 37263 OF 2026

Between:

Karasala Prasad Rao, S/o. Karasala Venkata Subbaiah, Aged about 67 years, Occ ; Contractor, R/o. H.No.7-158/2, Naspur Colony, Near Bharat Petrol Pump, Naspur, Naspur Mandal, Mancherial District.

.....PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary Municipal Administration Department, Secretariat Building, Hyderabad.
2. Mancherial Municipal Corporation, Rep. by its Commissioner, Mancherial, Mancherial District.
3. The Town Planning Officer, Mancherial Municipal Corporation, Mancherial, Mancherial 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 2nd Respondent in issuing the Shortfall Letter bearing Notice No.082050/MANC/00721/IABP/2026 dated 29.10.2026, in respect of the Petitioner's application for building permission for the land bearing Plot No.12 admeasuring to an extent of 201.66 Square Yards or 168.60 Square Meters in Sy.No.24, situated at Naspur Village, Naspur Mandal, within the limits of Mancherial Municipal Corporation, Mancherial District, on the ground that the registered sale deed of the Petitioner was executed after the LRS cut-off date of 26.08.2020 and the plot does not satisfy the eligibility criteria prescribed under Rule 4(a) of G.O.Ms.No.131 MAandUD dated 31.08.2020, as illegal, arbitrary, violative of

Articles 14, 21 and 300-A of the Constitution of India and contrary to the law laid down by this Hon'ble Court, set aside the same and consequently direct the 2nd Respondent to grant building permission, without reference to the impugned Shortfall Letter dated 29.10.2026.

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 direct the 2nd Respondent to grant building permission, in respect of the Plot No.12 admeasuring to an extent of 201.66 Square Yards or 168.60 Square Meters in Sy.No.24, situated at Naspur Village, Naspur Mandal, within the limits of Mancherial Municipal Corporation, Mancherial District, without reference to the impugned Shortfall Letter dated 29.10.2026, pending disposal of the main writ petition.

Counsel for the Petitioner : SRI THOOM SRINIVAS

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

Counsel for the Respondent Nos.2 & 3 : SRI PUTTA KRISHNA REDDY

The Court made the following ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE SRI JUSTICE LAXMI NARAYANA ALISHETTY

WRIT PETITION No.37263 of 2026
(CNR.No. HBHC010765322026)

DATE: 04.11.2026

Between:

Karasala Prasad Rao

...Petitioner

AND

The State of Telangana
Rep. by its Principal Secretary
Municipal Administration Department,
Secretariat, Hyderabad & 2 others

...Respondents

ORDER:-

1. This Writ Petition is filed seeking to declare the action of 2nd Respondent in issuing the Shortfall Letter bearing Notice No. 082050/MANC/00721/IABP/2026 dated 29.10.2026 in respect of the Petitioners application for building permission for the land bearing Plot No.12, admeasuring to an extent of 201.66 Square Yards or 168.60 Square Meters in Sy.No 24, situated at Naspur Village, Naspur Mandal, within the limits of Mancherial Municipal Corporation, Mancherial District on the ground that the registered sale deed of the Petitioner was executed after the LRS cutoff date of 26.08.2020 and the plot does not satisfy the eligibility criteria

prescribed under Rule 4(a) of G.O.Ms.No.131 MA and UD dated 31.08.2020 as illegal and arbitrary and for consequential relief.

2. Heard Sri Thoom Srinivas, learned counsel for the petitioner and Sri Putta Krishna Reddy, learned Standing Counsel for Mancherial Municipal Corporation appearing for respondent Nos.2 & 3.

3. Learned counsel for the petitioner as well as learned Standing Counsel for respondent Nos.2 & 3 submitted that the issue raised in the present writ petition is squarely covered by the order dated 02.02.2022 passed in W.P.No.5150 of 2022 and prayed to pass similar order in the instant writ petition as well.

4. In view of the submissions made by learned counsel for the petitioner and learned Standing Counsel for respondent Nos.2 & 3, this Writ Petition is disposed of in terms of the order dated 02.02.2022 passed in W.P.No.5150 of 2022.

Miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

Sd/-P.PONNA KRISHNA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Municipal Administration Department, Secretariat Building, State of Telangana at Hyderabad.
2. The Commissioner, Mancherial Municipal Corporation, Mancherial, Mancherial District.
3. The Town Planning Officer, Mancherial Municipal Corporation, Mancherial, Mancherial District.
4. Two CCs to GP FOR MCPL ADMN AND URBAN DEVELOPMENT, High Court for the State of Telangana at Hyderabad. [OUT]
5. One CC to SRI THOOM SRINIVAS, Advocate [OPUC]
6. One CC to SRI PUTTA KRISHNA REDDY, Advocate (OPUC)
7. Two CD Copies

(Along with a copy of the order dated 02-02-2022 passed in WP.No.5150

HIGH COURT

DATED: 04/11/2026

ORDER

WP.No.37263 of 2026



DISPOSING OF THE W.P

PWITHOUT COSTS.

(10)

Kpr

12/11/26

THE HON'BLE SMT. JUSTICE P.MADHAVI DEVI

W.P. No.5150 of 2022

ORDER:

This writ petition has been filed by the petitioner seeking a writ of mandamus declaring the action of the respondents in not considering the petitioner's application for grant of building permission for construction of residential building in open plot in an extent of 191.33 sq.yds., in Sy.Nos.247/1, Housing Board, Jagityal Municipality, Kariminagar district on the ground that the same is not coming under cut of date of layout regularization scheme, 2020 as per G.O.Ms.No.131, dated 31.08.2020 as illegal and arbitrary.

2. Brief facts leading to the filing of this case are that the petitioner had purchased the subject plot vide registered sale deed No.4803/2021 dated 04.09.2021 and thereafter, when the petitioner applied for building permission through TS b-pass instant approval was given on 14.09.2021. Thereafter, vide order dated 05.11.2021 the building permission dated 14.09.2021 was revoked with the following remarks:

"The title & technical scrutiny officers are not recommended due to "The proposed plot is forming part of unauthorized layout and not applied under LRS. The plot is registered after cut-off date i.e., 26.08.2020 and has no registered link document prior to the cut-off date". This application is revoked."

Challenging the same, this writ petition is filed.

3. Counsel for both the parties are heard.

4. During the course of hearing, the learned counsel for the petitioner submitted that this matter is squarely covered by the order passed by this Court in W.P. No.19156 of 2021 on 17.08.2021 and this writ petition may also be disposed of in terms of the said order.

5. For ready reference, the relevant portion of the order passed in W.P. No.19156 of 2021 on 17.08.2021 is reproduced hereunder:

"3. Admittedly, the petitioner herein acquired the said plot in an unapproved layout. The grievance of the petitioner in the present writ petition is that the respondent authorities are not accepting the application of the petitioner for

grant of building permission on the ground that the subject plot falls under unapproved layout and is not recognized within the scheme introduced by the 1st respondent vide G.O.Ms.No.131, dated 31.08.2020.

4. During the course of arguments, it is brought to the notice of the Court that the Commissioner, Greater 2 Hyderabad Municipal Corporation, in respect of unapproved layouts, issued Memo No.14148/PLG.III/2020, dated 30.12.2020, and a copy of the same is placed on record by the learned counsel for the petitioner as material paper and the said memo reads as under:

> "Building permission in such plots/sites may be considered by the Competent Authority by collecting basic penalization charges as per LRS-2015 and 33% compounding fee on the same, plus open space contribution charges (14%) on the present market value of the site/plot applied for Building Permission."

5. It is very much evident from the above memo that the applications for building permissions can be considered by the competent authorities by collecting 33% compounding fee on the same plus open space contribution charges at 14% on the market value of the plot

applied for building permission. The Government issued the said memo in respect of the plots/sites, for which no application under Land regularisation Scheme was submitted. It is also very much evident from the reading of the above memo that the building application of the petitioner herein deserves to be considered in terms of the said memo dated 30.12.2020 subject to compliance of statutory requirements.

6. Accordingly, the Writ Petition is disposed of, directing the respondent - Municipality to accept the application of the petitioner herein for building permission in terms of the Memo No.14148/PLG.III/2020, dated 30.12.2020 issued by the Commissioner, Greater Hyderabad Municipal Corporation and 3 pass appropriate orders, as per law. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs."

6. Thus, the petitioner is seeking relaxation of the conditions of G.O.Ms.No.131, dated 31.08.2020 and G.O.Ms.No.135, dated 16.09.2020, in terms of the Memo No.14148/PLG.III/2020, dated 30.12.2020.

7. Having regard to the facts of the case and material on record, this Court finds that after formation of the State of

Telangana in 2014, the Government of Telangana issued G.O.Ms.No.151 dated 02.11.2015 with the following objective:

> "Government of Telangana with a view to promoting planned development of urban areas in the State are encouraging development through approved layouts and development of integrated townships through both public and private initiative. However, Government has observed that there are many unapproved and illegal layouts which are not only in violation of the Statutory Development Plan/Master Plan and Layout Rules but also deficient in layout norms and development standards and lacking in basic civic infrastructure facilities like proper roads, street lights and drainage. On account of the above, frequent complaints are being received from the public. Such substandard and unapproved sub-divisions of land into building plots is not only defeating the very objective of planned development but also affecting the planned extension of services and amenities by the local bodies. Government have in the past brought out a scheme of regularization of such unapproved layouts but they met with limited success since it was a voluntary scheme with onus on plot owners to come forward for regularisation and there were no deterrent provisions against the owners who did not come forward for regularization. Therefore in order to bring all these unplanned areas into the fold of

planned development and to provide basic facilities in these areas so as to promote an overall and integrated area and city level development and a better quality of life for the citizens, Government hereby issue the Rules for Regularization of Unapproved and Illegal Layouts."

The said G.O. was made effective from 28.10.2015 and Rule 2 thereof read as under:

"2. Applicability:

(a) These Rules shall be applicable to Hyderabad Metropolitan Development Authority, Kakatiya Urban Development Authority and Basara Urban Development Authority, Municipal Corporations, Municipalities and Gram Panchayats falling in the Master Plan limits in the State of Telangana.

(b) These Rules and conditions herein shall be applicable to all existing unapproved sub-division of plots, existing unapproved layouts or ventures promoted by land owners/private developers/firms/companies/ property developers/Societies where the plots have been sold by registered sale deed on or before 28.10.2015.

(c) These Rules are only intended for regulating the unplanned development and shall be applicable to all unapproved layout areas which have clearance from the competent authorities under the Urban land Ceiling and Regulation Act 1976, AP Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 wherever required and which have not been entered in the Prohibitory Register of lands maintained by the Revenue Department. The Regularisation measure would not absolve the plots or layout from the application of Land ceiling Laws, land disputes or claims over title, boundary deisputes, etc. In respect of assigned lands, prior clearance from the District Collector shall be obtained.

(d) In the event of only some plot holders coming forward for regularization in an unapproved layout, the layout pattern as approved by the competent authority shall be applicable to the entire layout area. The local authority shall be responsible for enforcing such approved layout pattern."

Rule 4 thereof specified the cut-off date for considering regularisation of unapproved layouts as under:

> "4. **Cut-off date for considering regularization of unapproved layouts:**
>
> Only those unapproved layouts and sub-division of plots with registered sale deed / title deed existing as on **28.10.2015,** shall be considered for regularization under these rules. As proof and evidence, the plot holder/Land owner/ Association/ Society/Colony developer is required to furnish copies of the sale deed/ title deed. Agreement of sale or General Power of Attorney shall not be considered as evidence."

8. Thereafter, vide Government Letter No.2252/M1/2017 dated 06.04.2017, certain orders were issued in respect of Municipal Commissioner, HMDA/Commissioner, GHMC to consider permission in the plots/sites which are not applied under the LRS, 2015. Thereafter vide Memo No.2252/M1/2017, dated 28.04.2017, these directions were made applicable to entire State i.e., all the Municipal Corporations/Municipalities/Nagar Panchayats and Urban Development Authority areas. For the sake of ready reference, the Memo No.2252/M1/2017, dated 28.04.2017 is reproduced hereunder:

> "Building permission in such plots/sites may be considered by the Competent Authority by collecting basic penalisation charges as per LRS-2015 and 33% compounding fee on the same, plus open space contribution charges (14%) on the present market value of the site/plot applied for Building Permission."

9. Subsequently, LRS 2020 was introduced vide G.O.Ms. No.131 dated 31.08.2020. Vide G.O.Ms. No.131, dated 31.08.2020, the Government has issued the scheme known as LRS 2020 for reularisation of unapproved/unauthorised/illegal layouts by payment of the charges mentioned therein. The cut-off date for applicability of the said G.O. was mentioned as 31.08.2020. Subsequently vide G.O.Ms. No.135, dated 16.09.2020, the 1st respondent/Government of Telangana has amended the LRS 2020 Rules by reducing the regularisation charges. It was also held that the LRS regularisation charges includes NALA charges also and no separate NALA charges shall be paid. Thereafter, on receipt of representations from various quarters, the Government has issued a Memo No.14148/PLG.III/2020, dated 30.12.2020 giving such relaxations only to such plot owners whose documents have been registered on or before 26.08.2020.

10. For the sake of clarity and completeness, the Memo No.14148/PLG.III/2020, dated 30.12.2020 is reproduced hereunder in toto.

"GOVERNMENT OF TELANGANA
MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT DEPARTMENT

Memo No.14148/PLG.III/2020 Date: 10.12.2020

Sub: GHMC – LRS – 2020 – Telangana Regulariazation of Unapproved and illegal Layout Rules 2020 – Processing of Building Permissions – Certain Clarifiactions – Iisued – Reg.

Ref:
1. G.O.Ms.No.131 MA, Dated: 31.08.2020
2. G.O.Ms.No.135 MA, Dated: 16.09.2020
3. Govt. Letter No.2252/M1/2017, Dated 06.04.2016.
4. From GHMC Lr.No.B/1545/ TPS/ CCP/HO/GHMC/2016-20, Dated: 28.12.2020.

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In the reference 1st & 2nd cited, Government have issued Telangana Regularization of Unapproved and illegal Layout Rules 2020 by giving oppo rtunity to the plot/site owners on whose name the plot is registered with a registered sale deed executed on or before 26.08.2020 (or) layout owners who have developed the layout and sold at least 10% of the plots on or before 26.08.2020 for regularizing their plots/layout under LRS Scheme 2020. The last date for filing of applications was on 31.10.2020.

In the reference 4th cited, it has come to the notice of the Government that, some of the plot/site owners have submitted applications to Greater Hyderabad Municipal

Corporation seeking building permission by enclosing the online receipts filed under LRS-2020 application and some of the plot/site owners have submitted applications seeking building permission without applying under LRS-2020.

After careful examination of the matter following procedure is prescribed for granting building permissions in the following categories:

1. The plots/sites falling in unapproved/illetgal layouts having documents registered on or before 26.08.2020 for which application filed under New LRS 2020 Scheme and applied for grant of building permissions, the building permissions in such cases can be processed duly collecting the fee/charges as per the LRS-2020 on submission of LRS-2020 acknowledgement receipt by the applicant in the respective building application.

2. The plots/sites falling in unapproved/illegal layouts having documents registered on or before 26.08.2020 for which applications not filed under New LRS 2020 scheme, the building permissions can be processed duly collecting basic penalization charges as per LRS-2020 and 33% compounding fee on the same, plus open space contribution charges (14%) on the present market value of the site/plot applied for Building Permission."

The Commissioner, Greater Hyderabad Municipal Corporation/Metropolitan Commissioner, Hyderabad Metropolitan Development Authority/Director of Municipal Administration/Director of Town and Country Planning/ Vice Chairmen of UDAs, shall take further action accordingly.

ARVIND KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT"

11. From the above, it can be seen that the relaxations under LRS 2020 are applicable only to the plots/sites falling in unapproved/illegal layouts having documents registered on or before 26.08.2020. In the case before this Court, the plot was registered on 04.09.2021 by way of sale deed No.4803/2021 i.e. after 26.08.2020. In the decisions relied upon by the learned counsel for the petitioner, this Hon'ble Court has considered the Memo ated 28.04.2017 applicable to LRS 2015, whereas the Memo dated 30.12.2020 is applicable to this case and the petitioner is not eligible for relaxation under the said Memo. However, it is noticed that the Government has not provided for any formula for regularisation of plots/sites falling in unapproved/illegal layouts having documents registered on or after 26.08.2020.

12. As the petitioner is not provided with any alternative remedy, and for the sake of uniformity and consistency, it is deemed fit and proper to direct the respondents to consider granting building permission to the petitioner herein by collecting the penal charges as provided in LRS-2020 and 33% compounding fee on the same, plus open space contribution

charges (14%) on the market value of the site/plot applied for building permission as on the date of applications.

Accordingly, this writ petition is allowed. No order as to costs.

Miscellaneous applications, if any pending, shall stand closed.

JUSTICE P.MADHAVI DEVI

Date: 02.02.2022
LSK