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

THURSDAY, THE FIFTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION NO: 37572 OF 2026

Between:

1. K. Srinivas, S/o K. Ramakrishna Rao, Aged about 58 years, Occ Employee R/o. H.No. 12-71, HUDA Colony, Chandanagar, Serilingampally Mandal, Rangareddy District
2. I .Venkata Siva Reddy, S/o. B. Brahma Reddy Aged about 48 years, Occ Business, R/o. Plot No. 111 , Flat No. 402, SNL Residency Gazzetted Officers colony, Hafeezpet, Rangareddy District
3. B Siva Nagi Reddy, S/o. B. Brahma Reddy Aged about 46 years, Occ Business - R/o. Flat No. 401 , SNL Maridan, 3rd Street Ramakrishna Nagar, Madinaguda, Rangareddy District ..

...PETITIONERS

AND

1. The State of Telangana, rep by its Principal Secretary, Revenue Department, Secretariat, Hyderabad
2. The District Collector, Ranga reddy district
3. The Deputy Collector and Tahsildar, Serilingampally Mandal Ranga Reddy District
4. The Mandal Girdwar, Serilingampally Mandal Ranga Reddy 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 toto issue writ order or direction more the action of the respondents in interfering into the the construction of the building as per the building permission vide 4331/GHMC/SLP/2025-BP dated 15.1.2025 in plot No 30 (pat and plot NO 31(part) extent 300 sq.yards in survey No 224 situated at Madinaguda Village Serlingampally mandal, Ranga reddy district without passing any order under section 6 of Land encroachment Act 1905 even though the petitioners submitted the explanation on

23.10.2026 in pursuance of the notice u/s 7 of the Land Encroachment Act vide No B/1150/2026 dated 16.10.2026 by the respondent No 3 as arbitrary and illegal and in violation of the principes of natural justice and consequently direct the respondents not to interfere in to the construction activity without passing any order, affording of opportunity of hearing.

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 respondents not to interfere into the construction activity in plot NO 30 part and 31 part extent 300 sq.yards in Survey No 224 situated at Madinaguda Village Serlingampally mandal, Ranga reddy district.

Counsel for the Petitioners: MR. GUDI MADHUSUDHAN REDDY

Counsel for the Respondents: MS. DARA HARITHA KIRAN, AGP FOR REVENUE

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.V. SHRAVAN KUMAR

WRIT PETITION No.37572 of 2026
(CNR No.HBHC010772012026)

Date: 05.11.2026

Between:

K. Srinivas
and 2 others. ... Petitioners

AND

The State of Telangana,
rep.by its Principal Secretary,
Revenue Department,
Secretariat, Hyderabad,
and 3 others. ... Respondents

ORDER:

This writ petition is filed to declare the action of the respondents in interfering into the construction of a building, which is being constructed as per the building permission granted by the Zonal Commisisoner of GHMC, Seringlingampally Zone, vide 4331/GHMC/SLP/2025-BP, dated 15.01.2025 in Plot No.30 (part) and plot No.31 (part) to an extent of 300 square yards in Survey No.224 situated at Madeenaguda Village, Serilingampally Mandal, Ranga Reddy District (hereinafter referred to as 'subject land'), without passing any order under Section 6 of the Land Encroachment Act, 1905, even though the petitioners submitted their explanation on 23.10.2026 to the notice issued under Section 7 of the Land Encroachment Act by the respondent No.3-Deputy Collector and Tahsildar, Serilingampally Mandal, vide No.B/1150/2026, dated 16.10.2026, as being illegal and

arbitrary and consequently to direct the respondents not to interfere into the construction activity without passing any order or without affording of opportunity of hearing to the petitioners.

2. Heard Mr. Gudi Madhusudhan Reddy, learned counsel for the petitioners and Ms. Dara Haritha Kiran, learned Assistant Government Pleader for Revenue appearing for respondent Nos.1 to 4. With the consent of both the parties, the writ petition is being taken up for disposal. Perused the material on entire record.

3. The brief facts of the case as stated are that the respondent No.3-Tahsildar, Serilingampally Mandal has issued notice against the petitioners under Section 7 of the Land Encroachment Act, 1905, vide Ref.No.B/1150/2026, dated 16.10.2026 stating that as per the records of Miyapur Village, the land in Survey No.69/1 admeasuring Ac.19.14 guntas is classified as 'poramboke sarkari' and belongs to the Government and the subject land in Survey No.224 of Madeenaguda Village is classified as 'patta' and both the lands are quite adjacent lands divided by village boundaries of said two villages i.e., Miyapur Village and Madeenaguda Village of Serilingampally Mandal. It is stated in the notice dated 16.10.2026 that as per registration documents in respect of land bearing Plot Nos.30 & 31 in Survey No.224 of Madeenaguda Village, the petitioners are trying to construct structure in 300 square yards, which falls in the Government land in Survey No.69/1 of Miyapur Village, Serilingampally Mandal. The petitioners have submitted an

explanation on 23.10.2026 to the said notice dated 16.10.2026 and till date no orders have been passed pending before the respondent No.3. Aggrieved by the same, the petitioners have filed the present writ petition.

4. Learned counsel for the petitioners would submit that though a reply/explanation dated 23.10.2026 was submitted to the notice dated 16.10.2026, respondent Nos.3 & 4 without deciding the petitioners' explanation are interfering into the construction being made by the petitioners. Learned counsel confines his submission to the extent of making construction only in Plot No.30 (part) & Plot No.31 (part) situated at Madeenaguda Village, as per the building permission granted by the GHMC, Serilingampally Zone, vide 4331/GHMC/SLP/ 2025-BP, dated 15.01.2025.

5. Learned Assistant Government Pleader for Revenue, on instructions of the Deputy Collector & Tahsildar, Serilingampally Mandal, dated 04.11.2026 would submit that as per the registration documents, for the plot No.30 (part) & plot No.31 (part) to an extent of 300 square yards in Survey No.224 is situated in Madeenaguda Village, Serilingampally Mandal, a building is being constructed, which falls in the Government land situated in Survey No.69/1 of Miyapur Village, as such the field staff of respondent No.3's office acted so. To prevent such encroachments in the lands where interest of Government is involved, action has been initiated u/s.7 of the Land

Encroachment Act by the respondent No.3, vide Ref.No.B/1150/2026, dated 16.10.2026.

6. Learned Assistant Government Pleader for Revenue fairly submits that so long as the petitioners confines and undertakes construction of building as per the building permission granted in Plot No.30 (part) & plot No.31 (part) to an extent of 300 square yards in Survey No.224 situated at Madeenaguda Village and does not make any construction in the Government land of Survey No.69/1 of Miyapur Village, the petitioners may go ahead for construction and appropriate orders will be passed by the respondent No.3 in accordance with law with regard to reply of the petitioners dated 23.10.2026 to the notice dated 16.10.206 and prayed this Court to pass appropriate orders in this writ petition.

7. In view of the above and recording the submissions of the counsels on either side, this Court is of the considered opinion that if the petitioners confine their construction of building only as per the building permission granted by the GHMC, Serinlingampally Zone in the said Plot No.30 (part) & plot No.31 (part) to an extent of 300 square yards in Survey No.224 situated at Madeenaguda Village, the respondent authorities are hereby directed not to interfere with the said construction activity, till passing of the orders to the explanation submitted by the petitioners to the earlier notice dated 16.10.206 u/s.7 of the Land Encroachment Act, 1905.

8. It is made clear that this Court has not expressed any opinion on the right, title or possession of the petitioners on the subject land and the petitioners shall not claim any equities on the strength of this order.

9. With the above observations and direction, this writ petition is disposed of at the admission stage. However, there shall be no order as to costs.

As a sequel, miscellaneous applications, if any pending in this writ petition, shall stand closed.

SD/- B. PRIYADARSHINI JAISWAL
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, Secretariat, State of Telangana,, Hyderabad
2. The District Collector, Ranga reddy district
3. The Deputy Collector and Tahsildar, Serilingampally Mandal Ranga Reddy District
4. The Mandal Girdwar, Serilingampally Mandal Ranga Reddy District
5. One CC to MR. GUDI MADHUSUDHAN REDDY Advocate [OPUC]
6. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad [OUT]
7. Two CD Copies

AGK

AGK

CC TODAY

HIGH COURT

NVSK, J

DATED: 05/11/2026



ORDER

WP.No.37572 of 2026

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

(10)
QBN
06-11-26.