



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

**TUESDAY, THE TWENTY EIGHTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE LAXMI NARAYANA ALISHETTY

WRIT PETITION NO: 8718 OF 2015

Between:

Smt.Dudala Vilasini, W/o. D.Ramu, D/o.N.Veera Swamy, aged about 35 years, Occ House Wife, R/o. First Floor, TRT-74, Jawahar Nagar, Chikkadpally, RTC Cross Roads, Hyderabad.

...PETITIONER

AND

1. Greater Hyderabad Municipal Corporation, Rep. by Commissioner, Tankbund, Hyderabad.
2. The Assistant City Planner, Town Planning Section, Circle No.9, Greater Hyderabad, Municipal Corporation, Hyderabad.
3. K.Ravi Kumar, S/o. L3te K.Purushotham, aged about 45 years, Occ Government Servant, R/o.Ground Floor, TRT-73, Jawahar Nagar, Chikkadpally, RTC Cross Roads, Hyderabad.
4. State of Telangana, Rep. by its Principal Secretary, Secretariat, Hyderabad. Muncipie Administrative.

...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 direct the 1st and 2nd Respondents more particularly in the nature of Writ of Mandamus to take action against the 3rd Respondent consequently demolish the unauthorized and illegal construction made by the 3rd Respondent.

I.A. NO: 1 OF 2015(WPMP. NO: 11512 OF 2015)

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 direct the 1st and 2nd Respondents to take appropriate actions against the 3rd Respondents considering the representations made by the Petitioner pending disposal of the above writ petition.



2025:TSHC:41559

I.A. NO: 2 OF 2015(WPMP. NO: 15114 OF 2015)

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 direct the 1st and 2nd Respondents to take appropriate actions against the 3rd Respondents for making illegal constructions on TRT No.73, Ground Floor, Industrial housing Colony, Jawaharnagar, Chikkadpally, Hyderabad considering the representation made by the petitioner pending disposal of the above writ petition.

Counsel for the Petitioner: SRI N.VINESH RAJ

**Counsel for the Respondent Nos.1 & 2: SRI G.MADHUSUDHAN REDDY, SC
FOR GHMC ·**

Counsel for the Respondent No.4: GP FOR MCPL ADMN-URBAN DEV (TG)

Counsel for the Respondent No.3: --

The Court made the following: ORDER

**THE HON'BLE SRI JUSTICE LAXMI NARAYANA ALISHETTY****WRIT PETITION No.8718 of 2015****ORDER:**

This writ petition is filed seeking a direction to respondent Nos.1 and 2 to take appropriate action against respondent No.3 and to demolish the unauthorized construction made by respondent No.3.

2. Heard Sri N.Vinesh Raj, learned counsel for the petitioner and Sri G.Madhusudhan Reddy, learned Standing Counsel for respondent Nos.1 and 2.

3. Learned Counsel for the petitioner would submit that the petitioner is the owner and possessor of TRT No.74, first floor, Industrial Housing Colony, Jawaharnagar, Chikkadapally, Hyderabad, having acquired the same vide gift deed No.3858/2012 dated 06.12.2012. He further submits that respondent No.3 is the owner of TRT No.73, Ground floor, Industrial Housing Colony, Jawaharnagar, Chikkadpally, Hyderabad, having acquired the same through Sale Deed No.4966/2006.

4. Learned Counsel for the petitioner further submits that all the owners and possessors of TRT quarters are bound by the conditions specified in Schedule B of the Sale Deed. As per Schedule B of the Sale deed, the purchaser should not make any construction without specific consent of the owner of the upper tenement or lower tenement and the space reserved for common purpose of the subject property is the property of the Government and further the common passage of the stair case room leading to first floor shall be the common property of the allottees of the flats of first floor and shall not be used for any other purpose without the consent of the other owners.
5. Learned Counsel for the petitioner further submits that contrary to the aforesaid terms mentioned in Schedule B of the sale deed, respondent No.3 has constructed compound wall and other structures encroaching upon the land meant for common use. Upon a complaint, the respondent Nos.1 and 2 demolished the said compound wall and structures, however, respondent No.3 has again constructed compound wall and a shed, thereby occupying the common area and also causing inconvenience to the ingress and egress of the occupants of the subject property. Though, the petitioner submitted representations to respondent



Nos.1 and 2, no action has been taken. Aggrieved by the same, present writ petition is filed.

6. Learned Standing Counsel for respondent Nos.1 and 2 by referring to the counter submitted that pursuant complaints made by the petitioner on 02.03.2015 and 04.03.2015 against the illegal and unauthorized construction made by respondent No.3, respondent Nos.1 and 2 have issued notice dated 09.03.2015 under Sections 452(1) and 461(1) of the GHMC Act, 1955 to the respondent No.3 as to why the said illegal construction shall not be removed and have also stopped the construction work being undertaken by respondent no.3. Therefore, the cause in the writ petition does not survive.

7. Learned Counsel for the petitioner would submit that in view of the stoppage of unauthorized construction being made by respondent No.3, the writ petition may be closed, however liberty may be granted to the petitioner to take appropriate steps, if fresh cause of action arises.

8. Considering the aforesaid submissions of learned counsel for the petitioner and learned Standing Counsel for respondent Nos.1 and 2, the writ petition is closed, however liberty is granted to the



petitioner to approach appropriate authority, in case, fresh cause of action arises. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

Sd/-P.PONNA KRISHNA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. One CC to SRI N.VINESH RAJ, Advocate [OPUC]
2. One CC to SRI G.MADHUSUDHAN REDDY, SC FOR GHMC [OPUC]
3. Two CCs to GP FOR MCPL ADMN-URBAN DEV, High Court for the State of Telangana, at Hyderabad. [OUT]
4. Two CD Copies

PSK.

PMK



2025:TSHC:41559

HIGH COURT

DATED:28/10/2025

ORDER

WP.No.8718 of 2015



CLOSING OF THE WRIT PETITION
WITHOUT COSTS

⑦
lps
18/11/25