

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

**MONDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE LAXMI NARAYANA ALISHETTY

WRIT PETITION NO: 45876 OF 2016

Between:

A. Vijaya, W/o. Prabhakar Reddy, Aged about 45 years, Occ Household, R/o. H.No.3-1-789 and 790, Christian Colony, Karimnagar District.

.....PETITIONER

AND

1. The State of Telangana, rep.by its Principal Secretary, Municipal Administration Department, Secretariat Buildings, Secretariat, Hyderabad.
2. The Municipal Corporation, Karimnagar District, Rep. by its Commissioner.
3. The District Collector, Karimnagar, Karimnagar 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 a Writ, Order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the 2nd and 3rd respondents in trying to demolish the structures in respect of the petitioners house property bearing H.No.3-1-789 and 790 situated at Christian Colony, Karimnagar, Karimnagar District without invoking appropriate provisions of law as illegal, irregular, arbitrary and violation of principles of natural justice as well as being violation of Article 14, 21 and 300-A of the Constitution of India, and consequently direct the respondent No.2 not to demolish the petitioners house property in respect of house bearing H.No.3-1-789 and 790 situated at Christian Colony, Karimnagar, Karimnagar District forthwith.

I.A.NO:1 OF 2016 (WPMP.NO:56532 OF 2016)

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 not to demolish the petitioner's house property bearing H.No.3-1-789 & 790 situated at Christian Colony, Karimnagar, Karimnagar District, pending disposal of the above writ petition.

Counsel for the Petitioner : SRI ANNNAMPELLI GANGADHAR

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

Counsel for the Respondent No.2 : SRI K.SIDDHARTH REDDY

Counsel for the Respondent No.3 : GP FOR REVENUE

The Court made the following ORDER

HON'BLE SRI JUSTICE LAXMI NARAYANA ALISHETTY

WRIT PETITION No.45876 of 2016

ORDER:

This writ petition is filed to declare the action of respondent Nos.2 and 3 in trying to demolish the petitioner's house property as illegal, arbitrary and in violation of Articles 14, 21 and 300-A of Constitution of India.

2. Heard Sri A.Gangadhar, learned Counsel for the petitioner and Sri K.Siddharth Reddy, learned Standing Counsel for respondent Nos.2 and 3.

3. Learned Counsel for the petitioner would submit that petitioner filed a suit *vide* O.S.No.21 of 1993, for declaration of title and for permanent injunction in respect of house property bearing H.No.3-1-789 & 790, situated at Christian Colony, Karimnagar (hereinafter referred to as 'subject property') and the said suit was decreed *vide* Judgment and decree dated 20.04.1993, and no appeal was preferred, and the said decree became final and the petitioner has become the absolute owner of the subject property; that petitioner applied for permission for construction of a building consisting of Ground + 2 upper floors and the same was accorded *vide* ROP.No.G2/29/2007, dated

01.02.2007 and constructed the building and has been in possession and enjoyment of the same. While the matter stood thus, respondent No.2 issued notice dated 24.01.2015, calling for objection along with documents pertaining to petitioner's property, as they are processing the master plan work for widening 100 ft. road from Gheeta Bhavan Chowrastha to R & B Guest House and Ambedkar Chowrastha, Karimnagar, under Smart City Scheme and marked the petitioner's property for demolition; that petitioner attended the meeting on 02.02.2015 and submitted objection along with the documents. However, respondent No.2 without following the procedure as contemplated under Section 146 and 147 of the GHMC Act, 1955, are trying to demolish the petitioner's property. Aggrieved by the same, present Writ Petition is filed.

4. The learned Standing Counsel for respondent Nos.2 and 3 on instructions submitted that respondent Nos.2 and 3 would follow due procedure as contemplated under law, in case the petitioner's property is affected in the road widening project.

5. Considering the submissions made by the learned Counsel for the petitioner as well as learned Standing Counsel for respondent Nos.2 and 3, this Writ Petition is disposed of

with a direction to respondent Nos.2 and 3 not to interfere with the possession and enjoyment of the petitioner in respect of subject property, except in accordance with law. It is made clear that this Order will not preclude the respondents' Corporation from acquiring the petitioner's property if the same is required for the purpose of road widening by duly following the procedure as contemplated under law. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

//TRUE COPY//

Sd/-A. GREENIVASA REDDY
ASSISTANT REGISTRAR

SECTION OFFICER

To

1. The Principal Secretary, Municipal Administration Department, Secretariat Buildings, Secretariat, State of Telangana at Hyderabad
2. The Commissioner, Municipal Corporation, Karimnagar District.
3. The District Collector, Karimnagar, Karimnagar District.
4. Two CCs to GP FOR MCPL ADMN AND URBAN DEVELOPMENT, High Court for the State of Telangana at Hyderabad. [OUT]
5. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
6. One CC to SRI ANNNAMPELLI GANGADHAR, Advocate [OPUC]
7. One CC to SRI K.SIDDHARTH REDDY, Advocate (OPUC)
8. Two CD Copies

SA

PA

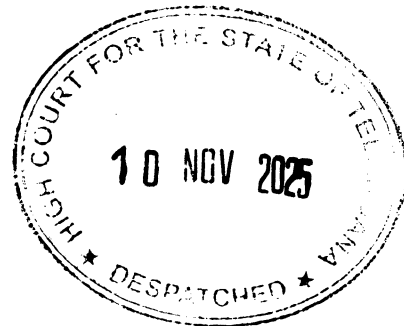
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HIGH COURT

DATED:27/10/2025

ORDER

WP.No.45876 of 2016



**DISPOSING OF THE W.P
WITHOUT COSTS.**

(19) PA
10/11/25