

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

MONDAY, THE THIRD DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 9578 OF 2021

Between:

1. The Nizamabad Goat and sheep market Association, (vide Registration No. 244/2017) Represented by its President Billi Nagesh s/o Billi Shanker Aged about. 48 yrs, Occ. Goat and sheep business r/o Kasbagalli, Nizamabad
2. M.Lasman, s/o M Lachaji, aged about. 56 yrs, Occ. Goat and sheep business r/o Kasabgalli, Nizamabad
3. N.Gangeshwar @ Gyaneshwar, s/o N.Ranjit, aged about. 36 yrs, Occ. Goat and sheep business r/o Kasbagalli, Nizamabad
4. A.Ramlal, s/o A.Sayyaji, aged about. 54 yrs, Occ. Goat and sheep business r/o Kasbagalli, Nizamabad
5. A.Chinna Sayyaji, s/o Makkaji, aged about . 45 yrs, Occ. Goat and sheep business r/o 10-1-14, Bada Bazar, Nizamabad
6. OmkarKaloji @ BuyyikarKaloji, s/o Balraj, aged about. 65 yrs, Occ. Goat and sheep business r/o 7-12-2, Yerukalawada, Niza.-mabad
7. D.Shantaram, s/o Lachaji, aged about 50 yrs, Occ. Goat and sheep business r/o 4-5-81, Kasbagalli, Nizamabad
8. N.Kishan, s/o Hussaini, aged about. 58 yrs, Occ. Goat and business r/o 4-6-22, Kasbagalli, Nizamabad
9. N.Ganesh, s/o Mohan, aged about. 35 yrs, Occ. Goat and sheep business ,r/o 2-4-31, Kasbagalli, Nizamabad
10. Billy Mahesh, s/o Kishan, aged about. 38 yrs, Occ. Goat and sheep business r/o 4-6-110, Kasbagalli, Nizamabad
11. K.Baloji, s/o K. Baloji, aged about. 60 yrs, Occ. Goat and sheep business r/o 4-6-21, Upper tekdi, Nizamabad
12. MdYousuf, s/o ShaikFareed, aged about. 68 yrs, Occ. Goat and sheep business r/o 8-1-19/1, Bodhan road, Nizamabad
13. Md Ghouse, s/o Fareed, aged about. 68 yrs, Occ. Goat and sheep business r/o 8-1.18, Bodhan road, Nizamabad
14. D.Bajrang, s/o Bhagwan, aged about. 35 yrs, Occ. Goat and sheep business r/o 4-7-15/1, Kasbagalli, Nizamabad
15. Billi Narayana, s/o Ramji, aged about. 65 yrs, Om Goat and Sheep business r/o 2-4.95, Weekly market, Nizamabad
16. D. Ashok, S/o Lachaji, aged about. 68 yrs, Occ. Goat and sheep business r/o 4-5-81, Kasbagalli, Nizamabad
17. Billi Shanker, S/o Ramji, aged about. 68 yrs, Occ. Goat and sheep business r/o 2-2-84, Kasbagalli, Nizamabad
18. N.Shivaji, S/o Gorra Hussaini, aged about. 65 yrs, Occ. Goat and sheep business r/o 4-6-100, Kasbagalli, Nizamabad
19. N.Nagoji, S/o Gora Hussaini, aged about. 68 yrs, Occ. Goat and sheep business r/o 2-2-56, Narsagoud Veedhi, Nizamabad

...PETITIONERS

AND

1. State of Telangana, represented by its Principal Secretary, Municipal Administration, Secretariat Building, Hyderabad.
2. The Municipal Corporation, Nizamabad represented by its Commissioner, r/o Nizamabad.

...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 directions more particularly one in the nature of Writ of Certiorari calling for the records relating to and connected with the orders passed by the 2nd respondent DT.07.04.2021 in proceedings No. G1/TMS/3645/2018 as being arbitrary, illegal discriminatory, erroneous and violative of Article 14 of the Constitution of India and set aside the same.

IA NO: 1 OF 2021

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 suspend the orders passed by the 2nd respondent DT.07.04.2021 in proceedings No. G1/TMS/3645/2018 and not to evict the petitioners from Ahmedi Bazar Market Premises, Nizamabad.

Counsel for the Petitioners: SRI T.V.KALYAN SINGH

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

Counsel for the Respondent No.2: SRI V.SATYAM REDDY SC FOR MPCL

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.9578 OF 2021

ORDER : (ORAL)

Mr. V. Satyam Reddy, learned standing counsel for respondent No.2 - Nizamabad Municipal Corporation, submitted that in view of the common order dated 29.10.2025 passed by this Court in W.P. No.15996 of 2020 and batch, no further orders are required to be passed in this writ petition, and is the same is not opposed by Mr. T.V. Kalyan Singh, learned counsel for the petitioners.

2. Recording the aforesaid submissions of the learned counsel, the writ petition is closed. There shall be no order as to costs.

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

**SD/- M. OSMAN ALI BAIG
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To

1. One CC to SRI T.V.KALYAN SINGH, Advocate [OPUC]
2. Two CCs to GP FOR MCPL ADMN & URBAN DEV, High Court for the State of Telangana, at Hyderabad. [OUT]
3. One CC to SRI V.SATYAM REDDY, SC FOR MPCL [OPUC]
4. Two CD Copies
(Along with a copy of the common order dated 29.10.2025 in WP.No.15996 of 2020 and batch)

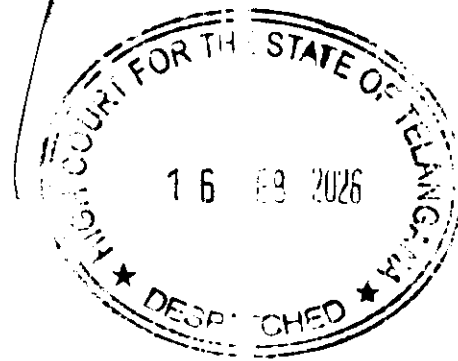
PSK.
TKS
AT

HIGH COURT

DATED:03/11/2025

ORDER

WP.No.9578 of 2021



**CLOSING OF THE WRIT PETITION
WITHOUT COSTS**

(7)

AT
21/12/26

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY
WRIT PETITION Nos.15996 OF 2020 AND 13289 of 2023
AND
CONTEMPT CASE No.1117 of 2021

COMMON ORDER: (ORAL)

Since common issue is involved in these matters, with the consent of both sides, these matters are being disposed of by this common order.

W.P.Nos.15996 OF 2020 AND 13289 of 2023:

2. The petitioners in these writ petitions are aggrieved by the action of the respondent authorities in seeking to dispossess them from the land in Survey No.1093/2 and 1094/2 situated at Nizamabad Revenue Village and Mandal, Nizamabad District.

3. The case of petitioner No.19 - Nizamabad Goat and Sheep Market Association is that its members, who are conducting business of selling sheep and goat, were allotted land in Survey No.1093/2 and 1094/2 of Nizamabad Town by respondent No.2 Municipal Corporation (erstwhile Municipality) and they had been doing business since 1972. Respondent No.2 has been collecting licence fees from the members of petitioner No.19 Association from time to time. While so, separate notices dated 20.08.2020 were issued to the petitioners directing them to vacate from the above referred subject premises, within 30 days, on

the ground that respondent No.2 intends to build a New Meat Market Complex in the said premises.

4. In W.P.No.15996 of 2020, interim suspension, as prayed for, was granted on 28.09.2020. In W.P.No.13289 of 2021, *status quo* was granted on 11.05.2023. Interim orders in both the writ petitions have been extended from time to time.

5. Respondent No.2 filed counter in both the writ petitions. It is stated that in the year 1972, *vide* Council Resolution No.608 dated 29.09.1972, respondent No.2 passed resolution to allot the land at Mustaidpura, Nizamabad, for the benefit of shepherds for doing business in goats and sheep. The resolution of the then Municipal Council was followed for a period of three years and subsequently it was not extended. However, the petitioners had been in possession of the site allotted to them for more than 25 years. The petitioners have not paid licence fee for the year 2018-19, 2019-20 and 2020-21, thus they are treated as illegal occupiers and encroachers. Subsequently, the Government issued G.O.Rt.No.159 dated 11.03.2017 and G.O.Rt.No.191 dated 28.03.2017 and accorded technical sanction with estimated value of work of Rs.5.00 crores for construction of Market yard in the same premises. Accordingly, the Market yard construction was taken up for setting up vegetable and meat market.

6. Heard Mr. T.V. Kalyan Singh, learned counsel for the petitioners, and Mr. V. Satyam Reddy, learned Standing Counsel for respondent No.2; and perused the material available on record.

7. Learned Standing Counsel for respondent No.2 submitted that the petitioners have been allotted new site as per proceedings *vide* letter No.G1/TMS/3645/2020 dated 21.10.2025 of respondent No.2 and possession was handed under cover of panchanama dated 24.10.2025.

8. However, learned counsel for the petitioners submitted that the new site allotted to the petitioners is not in usable condition and it is covered by bushes and wild growth and is uneven land. As and when wild growth is removed and the land is made in usable condition, the petitioners will shift from the subject premises.

9. In view of allotment of new/alternate site to the petitioners *vide* letter No.G1/TMS/3645/2020 dated 21.10.2025 and possession being handed over under cover of panchanama dated 24.10.2025, which is not disputed by the learned counsel for the petitioners, the interim order dated 28.09.2020 in I.A.No.1 of 2020 in W.P.No.15996 of 2020 and the interim order dated 11.05.2023 in W.P.No.13289 of 2023 are vacated.

10. Accordingly, these writ petitions are disposed of directing respondent No.2 to remove the wild growth in the new site allotted to the petitioners and ensure that it is in usable condition within a period of 15 days from the date of receipt of a copy of this order. No order as to costs.

As a sequel thereto, miscellaneous applications, if any, pending in these writ petitions stand closed.

C.C.No.1117 of 2021:

In view of the order passed in the above writ petitions, no further orders are necessary to be passed in this contempt case.

Accordingly, the contempt case is closed. No order as to costs.

As a sequel thereto, miscellaneous applications if any, pending in the contempt case stand closed.

Date: 29.10.2025
v v

B. VIJAYSEN REDDY, J