

(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE SIXTEENTH DAY OF APRIL
 TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO
SARERA NO: 37 OF 2026

Between

The Ambara Township Mutually Aided, Co-operative Housing Society Ltd., Gadwal
 Represented by its President P. Adivappa, IFS (Retd), R/o. H.No. 2-2-1105/5/7, Tilak Nagar,
 New Nallakunta, Hyderabad - 500 044.

Appellant

AND

1. The State of Telangana, Represented by its Chief Secretary, Secretariat, Hyderabad - 500022.
2. The Special Chief Secretary, Department of Housing, Secretariat, Hyderabad - 500022
3. The Managing Director, Telangana Rajiv Swagruha Corporation Ltd., H.No.3-6-184, Street No. 17, Urdu galli, Himayat Nagar, Hyderabad - 500029
4. The Director, Town & Country Planning, A.C. Guards, Hyderabad - 500004
5. The District Collector, Jogulamba Gadwal District, Gadwal - 500125.
6. The Municipal Commissioner, Gadwal - 509125.
7. The Addl. District Collector, (L.B.), Gadwal - 509125.
8. The Telangana State Real Estate Regulatory Authority, at Hyderabad Rep. by its Secretary, 640, AC Guards, DTCP Building, Lakdikapul, Hyderabad - 500004.

Respondents

WHEREAS the Petitioner above named through his Advocate Mr. MOHAMMED OMER FAROOQ presented this Memorandum of Second Appeal Under Section 58 of RERA Act, 2016 R/w Section 100 of CPC, praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to set aside the Orders dated 22.01.2026 in T.A.No.18 of 2025 passed by the Telangana Real Estate Appellate Tribunal at Hyderabad and consequently:-

- a) Direct cancellation of the Registration of the "Ambara Township" Project in the absence of compliance of Section 4(c) & (d), Section 11 (3) & (4), Section 12 and Section 14 and other provisions of the RERA Act, 2016;

- b) Direct Respondent No.3 to obtain all necessary approvals and permissions required for the "Ambara Township" project including Land Conversion Certificate, Tentative Layout Plan/ Approval and Completion certificate under RERA Act by paying the requisite fee in accordance with law and thereby take steps towards completion of all infrastructure facilities required to be completed under the Project as per law;
- c) Direct the Respondent No.3 (TRSCL) to comply with the requirement of mortgaging fifteen percent (15%) of the plotted area in favour of the competent authority in terms of Section 172 of the Telangana Municipalities Act, 2019, as security for completion of developmental works in "Ambara Township" project, within a time-bound period.
- d) Direct the Respondent No.3 to comply with Section 4 (2) (1) (D) of the Real Estate (Regulation and Development) Act, 2016 by depositing seventy percent (70%) of the amounts realized from the allottees, from time to time, in a separate bank account to be maintained for the "Ambara Township" project, and to utilize the same only for the cost of construction and development of the Ambara Township project.
- e) Direct the Respondent No.3 to carry out all development works in the subject project as prescribed in Appendix-C under Rule 5 (9) and Appendix-D under Rule 7(5) of Telangana Municipal Land Development (Layout and Sub-division) Rules, 2021 within the stipulated time and consequently take all necessary steps to obtain an approved layout for the "Ambara Township" project from the competent authority i.e., the Municipal Commissioner, Gadwal, under the Telangana Municipal Land Development (Layout and Sub-division) Rules, 2021.
- f) Alternatively to the above prayers a to e, entrust the balance development works in "Ambara Township" Project to the Appellant association of allottees with the first right of refusal to undertake the completion of the project and in the absence of the Appellant exercising such right the same may be entrusted to the Municipal Commissioner with a direction to complete the Project within a stipulated time frame in accordance with Section 8 of RERA and Section 172 (7) of the Telangana Municipalities Act, 2019,
- g) Declare the proceedings bearing Lr.No.TPS/235/MCG/2025 dated 11.11.2025 issued by the Municipal Commissioner, Gadwal, extending the Technical Layout Pattern bearing T.L.P No.05/2017/H, dated 25.01.2018 issued by the Director of Town and Country Planning for a further period till 09.11.2026 for the "Ambara Township" project, as non-est and contrary to law.
- h) Set-aside the schedule of payment contained in Prospectus issued under Notification dated 11.02.2022 and the consequential Letter of Offer dated 14.02.2022 bearing Rc No.E1/980/2022 as being in contravention of Section 13(1) and 19(6) of Real Estate (Regulation and Development) Act, 2016 and consequently direct refund of excess amount or penalties paid by the members of the Appellant Society beyond 10 % of the cost of plot along with interest from the date of receipt of the amounts till date of refund.

- i) Direct the Respondent No.3 to pay interest to the members of the Appellant association who are the allottees/purchasers on the amounts collected from them, from respective dates of receipt till the date of issuance of completion certificate, under Section 18 of the RERA Act, 2016 R/w Rules 15 and 16 of RERA Rules, 2017, on account of delay, non-compliance and failure to develop and deliver the plots in the "Ambara Township" project.
- j) Enhance and impose penalty on the Respondent No.3 under Sections 59 and 60 of the Real Estate (Regulation and Development) Act, 2016, based on the percentage of the estimated cost of the project, for violations including sale of plots without obtaining necessary approvals, failure to register the "Ambara Township" project in accordance with Sections 3 and 4 of the Act, and failure to complete and deliver possession of plots along with infrastructure and completion certificate as required under Section 17 of the Act.
- k) Direct an audit of the Respondent No.3 company to be conducted by the concerned officials of the amounts collected from the allottees of "Ambara Township" project;
- l) Restrain the Respondents from selling, allotting or creating any further third-party rights with respect to the plots in the "Ambara Township" project till layout is obtained by providing all required infrastructure facilities as required under law.
- m) Direct appropriate action to be taken against Respondent No.3 by blacklisting the Respondent No.3 company for violations of the provisions of the Real Estate (Regulation and Development) Act, 2016;

AND WHEREAS the High Court upon perusing the appeal and memorandum of grounds filed herein and upon hearing the arguments of Mr.MOHAMMED OMER FAROOQ Advocate for the Appellant, directed issue of notice to the Respondents herein to show cause as to why this Second Appeal RERA should not be admitted.

You viz:

1. The Chief Secretary, State of Telangana, Secretariat, Hyderabad – 500022.
2. The Special Chief Secretary, Department of Housing, Secretariat, Hyderabad – 500022.
3. The Managing Director, Telangana Rajiv Swagruha Corporation Ltd., H.No.3-6-184, Street No. 17, Urdu galli, Himayat Nagar, Hyderabad - 500029.
4. The Director, Town & Country Planning, A.C. Guards, Hyderabad - 500004.
5. The District Collector, Jogulamba Gadwal District, Gadwal - 500125.
6. The Municipal Commissioner, Gadwal - 509125.
7. The Addl. District Collector, (L.B.), Gadwal - 509125.
8. The Secretary, Telangana State Real Estate Regulatory Authority at Hyderabad, 640, AC Guards, DTCP Building, Lakdikapul, Hyderabad - 500004.

are directed to show cause on or before 18.06.2026 to which date the case stands posted as to why in the circumstances set out in the appeal and the memorandum of grounds filed therewith (copy enclosed) this Second Appeal RERA should not be admitted.

The Court made the following:

ORDER:

Notice before admission.

Learned counsel for the appellant is permitted to take out personal notice to the respondents by Speed Post with Acknowledgement Due (SPAD) and file proof of service by the next date of hearing.

Post on 18.06.2026.

SD/- L. VIJAYA LAKSHMI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Chief Secretary, State of Telangana, Secretariat, Hyderabad – 500022.
2. The Special Chief Secretary, Department of Housing, Secretariat, Hyderabad – 500022.
3. The Managing Director, Telangana Rajiv Swagruha Corporation Ltd., H.No.3-6-184, Street No. 17, Urdu galli, Himayat Nagar, Hyderabad - 500029.
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5. The District Collector, Jogulamba Gadwal District, Gadwal - 500125.
6. The Municipal Commissioner, Gadwal - 509125.
7. The Addl. District Collector, (L.B.), Gadwal - 509125.
8. The Secretary, Telangana State Real Estate Regulatory Authority at Hyderabad, 640, AC Guards, DTCP Building, Lakdikapul, Hyderabad - 500004 (RR 1 to 8 by SPAD- along with a copy of appeal and memorandum of grounds)
9. One CC to Mr. MOHAMMED OMER FAROOQ Advocate [OPUC]
10. One spare copy

HIGH COURT

RRN,J

DATED:16/04/2026

POST ON:18.06.2026

NOTICE BEFORE ADMISSION

SARERA.No.37 of 2026

