

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

MONDAY, THE THIRTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR
WRIT PETITION NO: 8916 OF 2026

Between:

1. Mrs. Batul Hashim Ali, W/o. Syed Hashim Ali, Aged about 82 years, Occ: Household R/o. 8-2-120/86/5/A, Road No.2, Banjara Hills, Hyderabad.
2. Syed Hashim Ali, S/o. Syed Mehdi Ali Aged about 87 years, Occ Retd. Rio. 8-2-120/86/5/A, Plot No. 135 Road No.2, Banjara Hills, Hyderabad 500 034.
3. Syed Zain Hussain, S/o. Syed Hashim Ali Aged about 52 years, Occ Service in Dubai (UAE) R/o. 8-2-120/86/5/A, Plot No. 135 Road No.2, Banjara Hills Hyderabad 500 034 duly represented by his father and General Power of Attorney Holder Mr. Syed Hashim Ali S/o. Mr. SYED MEHDI ALI, aged about 86 years, Occ Retd., R/o. H.No.8-2-120/86/5A, Plot No. 135, Road No.2, Banjara Hills, Hyderabad 500034.
4. Mrs. Khursheed Fatima Zaidi, W/o. Mr. Syed Ahmed Abbas Zaidi and D/o. Mr. Syed Hashim Ali, aged about 56 years, Occ: Housewife, R/o. H.No.8-2-120/86/5/A, Plot No.135, Road No.2, Banjara Hills, Hyderabad 500034, T.S., US Citizen, presently residing at 21603, Castleton Street, Cupertino, California-95014, USA holder of US Passport No.P537335460, issued on 19/10/2015 in USA, duly represented by her father and General Power of Attorney Holder Mr. Syed Hashim Ali, S/o. Mr. Syed Mehdi Ali, aged about 86 years, Occ: Retd., R/o. H.No.8-2-120/86/5A, Plot No.135, Road No.2, Banjara Hills, Hyderabad 500034.
5. Mrs. Lulu Ruquia Fatima Mirza, D/o. Mr. Syed Hashim Ali and W/o. Mr. Safdar Ali Mirza, aged about 46 years, Occ Housewife, R/o. H.No.6-2-961, Flat No.306, Aasra Apartments, Khairatabad, Hyderabad 500004.
6. M/s. Kylasa Constructions, a Partnership Firm, duly registered with the Registrar of Firms, having its office at Flat No.601, 6th Floor, Macherla Apartment, Umanagar, Begumpet, Hyderabad, represented by its Managing Partner Sri. Srinivas Kylasa S/o. Sri. K. Rajeshwar Rao, aged about 59 years, Occ Business, Rio. Flat No.601, 6th Floor, Macherla Apartment, Umanagar, Begumpet, Hyderabad.
7. Smt. Amrita Shah, W/o. Late Sri. Munawar Shah, aged about 52 years, Occ Business, R/o. Villa No. 25, Sark one, Mokila, K.V.Ranga Reddy, Telangana 501203.
8. Smt. Sonia Kaanan Sabaria, W/o. Sri Akhil Singh Sabaria, Aged about 55 years, Occ Housewife R/o. Seshu Villa, Flat No.501, H.No.1-2-593/7, Gaganmahal Colony, Hyderabad - 500 029.
9. Sri Akhil, Singh Sabaria S/o. Late Anand Singh Sabaria, Aged about 61 years, Occ Business R/o. Seshu Villa, Flat No.501, H.No. 1-2-593/7, Gaganmahal Colony, Hyderabad - 500 029.

10. Smt. Poonam Ann Varma, W/o. Vikram Jairath Varma, Aged about 51 years, Occ Housewife R/o. C-400, Jaibheri Orange County, Financial District Nanakramguda, Gachibowli K.V. Rangareddy - 500 032.
11. Mrs. Akanksha Ann Varma, D/o. Vikram Jairath Varma, Aged about 22 years, Occ: Student R/o. C-400, Jaibheri Orange County, Financial District Nanakramguda, Gachibowli K.V. Rangareddy - 500 032.
12. Smt. Nalini Narayan, W/o. Subash Narayan, Aged about 60 years, Occ Household R/o. 8-2-585/2, Road No.9, Banjara Hills, Hyderabad.
13. Lt. Col. Satender Sain, S/o. Dr. Jitender Sain, Aged about 94 years, Occ: Retd. R/o. 8-2-585/2, Road No.9, Banjara Hills, Hyderabad.

...Petitioners

AND

1. State of Telangana, Rep. by its Principal Secretary, Department of Land Acquisition, Dr. B.R. Ambedkar State Secretariat Hyderabad.
2. State of Telangana, rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Dr. B.R. Ambedkar State Secretariat Hyderabad.
3. The Special Collector (L.A.) and Commissioner, Greater Hyderabad Municipal Corporation, CC Complex Lower Tank Bund Road, Hyderabad.
4. The Commissioner GHMC, Lower Tank Bund Road, Hyderabad.
5. Special Deputy Collector (Land Acquisition), Greater Hyderabad Municipal Corporation Lower Tank Bund Road, Hyderabad.

...Respondents

WHEREAS the Petitioners above named through their Advocate M/s. MANJARI S. GANU presented this 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 especially one in the nature of WRIT OF MANDAMUS declaring the Notification published on 12/8/2025 in Times of India referencing to issue of Gazette No.21 dated 2/8/2025 bearing No.B/301/2025 dated 30.7.2025 and Notice dated 1/9/2025 issued under Section 15(1) and Declaration under Sec. 19 referencing Gazette No.GHMC-15 dated 21/2/2026 and No. B/301/2025 dated 21/2/2026 published in 'Times of India' on 6/3/2026 issued under the "Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-settlement Act 2013", as illegal and non-est in law, without power, arbitrary, discriminatory and violative of Articles 14 and 300A of Constitution of India, as it is in violation of the provisions of Act 30 of 2013, the HMDA Act and the Urban Area Development Act and also well settled principles of law and consequently set aside the same.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Mr. MIDDE ARUN KUMAR Senior Counsel representing M/s. MANJARI S. GANU Advocate for the Petitioners and the learned Government Pleader for Municipal Administration and Urban Development, who takes notice on behalf of respondent Nos.1 and 2, directed issue notice to the Respondent Nos.3 to 5, herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Special Collector (L.A.) and Commissioner, Greater Hyderabad Municipal Corporation, CC Complex Lower Tank Bund Road, Hyderabad.
2. The Commissioner GHMC, Lower Tank Bund Road, Hyderabad.
3. The Special Deputy Collector (Land Acquisition), Greater Hyderabad Municipal Corporation Lower Tank Bund Road, Hyderabad.

are directed to show cause on or before 20-04-2026 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to stay all further proceedings pursuant to the Notification published on 12.8.2025 in 'Times of India' referencing to issue of Gazette No.21 dated 2.8.2025 bearing No.B/301/2025 dated 30.7.2025 and Declaration under Sec. 19 referencing Gazette No. GHMC-15 dated 21.2.2026 and No.B/301/2025 dated 21.2.2026 published in 'Times of India' on 6.3.2026 issued under Sec. 11(1) and 19 of the "Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013", pending disposal of WP.No.8916 of 2026, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission.

Issue notice to respondent Nos.3 to 5.

Learned Government Pleader for Municipal Administration and Urban Development takes notice on behalf of respondent Nos.1 and 2.

Learned counsel for the petitioners is permitted to take out personal notice on respondent Nos.3 to 5 by speed post with acknowledgment due and file proof of service in the Registry by the next date of hearing.

The petitioners are challenging the land acquisition proceedings initiated from the stage of notification under dated 12.08.2025 and the subsequent proceedings under Section 15(1) dated 01.09.2025, wherein the petitioners' property has been included at Sl.Nos.35 to 46.

Mr. Midde Arun Kumar, learned Senior Counsel appearing on behalf of the learned counsel for the petitioners would submit that the notification dated 12.08.2025 is for acquiring a total area of 7237.32 sq. yards required for Shaikpet Village and Mandal, Hyderabad for public purpose, namely, for acquisition of land under proposed 100 ft. & 120 ft. wide "Multi-level Fly-over" surrounding KBR Park, at Mugdha Junction and Cancer Hospital under H.C.I.T.I, (Hyderabad City Innovative and Transformative Infrastructure) Programme. He would further submit that the said acquisition is affecting the petitioners' property with different extents.

Learned Senior Counsel would submit that under Section 13 of the Urban Areas (Development) Act, 1975, the Government has to declare the area for development by issuing a notification. Learned Senior Counsel would also refer to Section 32 of the HMDA Act, wherein requisitions has to be made in terms of Metropolitan Development Plan, Investment Plan, Development Scheme or Land Layout Scheme. It is further contended that for any proposed acquisition must follow the provisions of Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013.

Learned Senior Counsel has drawn attention of this Court to various stages of proceedings being taken up under the provisions of 2013 Act, and would further submit that the petitioners has also made objections to the said acquisitions on 16.10.2025. However, without considering the said objections and without obtaining any report from the competent authority, the respondents have proceeded and issued notification under Section 19 of Act 30 of 2013 on 21.02.2026, which was published in "Times of India" on 06.03.2026. Learned Senior Counsel would further submit that the declaration shows the R&R package as "Nil" and the respondents have not followed the procedure as contemplated under law and the acquisition proceedings would affect the petitioners' rights.

Having regard to the above submissions, the matter requires examination to ascertain whether the respondents have followed due process of law for the proposed acquisition which is under challenge in this writ petition.

Accordingly, the respondents are directed to file entire requisition proceedings from Section 10-A proceedings till Section 19 proceedings within a period of two (02) weeks by way of counter.

At request of learned counsel for the respondents to file counter, list on 20.04.2026 along with W.P.No.2114 of 2026.

In the meanwhile, there shall an interim stay of all further proceedings, including dispossession of the petitioners from the subject property, till 20.04.2026.

Sd/- A.SREENIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Department of Land Acquisition, State of Telangana, Dr. B.R. Ambedkar State Secretariat Hyderabad.
2. The Principal Secretary, Municipal Administration and Urban Development Department, State of Telangana, Dr. B.R. Ambedkar State Secretariat Hyderabad (RR 1 and 2 by SPAD).
3. The Special Collector (L.A.) and Commissioner, Greater Hyderabad Municipal Corporation, CC Complex Lower Tank Bund Road, Hyderabad.
4. The Commissioner GHMC, Lower Tank Bund Road, Hyderabad.
5. The Special Deputy Collector (Land Acquisition), Greater Hyderabad Municipal Corporation Lower Tank Bund Road, Hyderabad (RR 3 to 5 by SPAD along with a copy of petition and affidavit).
6. One CC to M/s. MANJARI S. GANU, Advocate [OPUC].
7. Two CCs to GP FOR LAND ACQUISITION, High Court for the State of Telangana at Hyderabad [OUT].
8. Two CCs to GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, High Court for the State of Telangana at Hyderabad [OUT].
9. One spare copy
ZEE

HIGH COURT

NVSKJ

DATED:30/03/2026

LIST ON 20.04.2026 ALONG WITH W.P.NO.2114 OF 2026

NOTICE BEFORE ADMISSION

WP.No.8916 of 2026

INTERIM STAY

