

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

**THURSDAY, THE TWENTY SIXTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION NO: 9093 OF 2026

Between:

Miriyala Manjula, W/o. M. Pradeep Kumar, Age- 45 years, Occ ; Business, R/o. Northern Part of Plot No.1032, Survey Nos.78 to 93, Raja Rajeswara Nagar, Kondapur (V), Serilingampally (M), Under GHMC, Ranga Reddy District, T.S.

.....PETITIONER

AND

1. The State of Telangana, Rep by its Principle Secretary Revenue (U.L.C) Department, Secretariat Hyderabad.
2. The State of Telangana, Rep by Principle Secretary Municipalities administration Urban development, Secretariat Hyderabad.
3. The Greater Hyderabad Municipal Corporation, Rep by its Commissioner, Tank Bund Hyderabad.
4. The Greater Hyderabad Municipal Corporation, Rep by Deputy Commissioner, Circle No.49, GHMC, Serilingampally Zone, Ranga Reddy District.
5. The Asst. City Planner, Greater Hyderabad Municipal Corporation, Serilingampally Zone, Ranga Reddy 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 writ order or direction more particularly one in the nature of writ of Mandamus and declaring the action of the respondent No.4 in issuing Shortfall Letter vide Notice No. 042827/CMC/00156/IABP/C49/2026 dated 17-03-2026 to the Provisional Building permission of the petitioner vide Permit No.042827/CMC/00156/IABP/C49/2026 dated 25-02-2026 as being illegal arbitrary discriminatory, contrary to the provisions of GHMC ACT 1955 and contrary to the judgement passed this Honorable court in 2001 (3) ALD 600

WP.No.25727/2000 dated 25-04-2001, WP.No.16868/2022 dated 26-04-2022, WA.No.403/2022 dated 05-07-2022 and WP.No.540/2026 dated 07-01-2026 and consequently set aside the above the Shortfall Letter vide Notice No. 042827/CMC/00156/IABP/C49/2026 dated 17-03-2026 issued by respondent No.4 and to process the Building permission and issue work permit order in respect of Northern Part of Plot No.1032, in Survey Nos.78 to 93, admeasuring 150 Sq. yards, (Out of 300 Square Yards), situated at Raja Rajeswara Nagar, Kondapur (V), Serilingampally (M), Under GHMC, Ranga Reddy District, T.S., and bounded by North- Plot No.1031 South- Southern Part of Plot No.1032 East- 30 Feet Wide Road West- Plot No.1047., without insisting the production of clearance Certificate/NOC from ULC authorities.

I.A.NO:1 OF 2026

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 set aside the Shortfall Letter vide Notice No. 042827/CMC/00156/IABP/C49/2026 dated 17-03-2026 by directing the respondent No.4 to process the Building Permit No.042827/CMC/00156/IABP/C49/2026 dated 25-02-2026 and issue work permit order in respect of Northern Part of Plot No.1032, in Survey Nos.78 to 93, admeasuring 150 Sq. yards, (Out of 300 Square Yards), situated at Raja Rajeswara Nagar, Kondapur (V), Serilingampally (M), Under GHMC, Ranga Reddy District, T.S., and bounded by North: Plot No.1031; South: Southern Part of Plot No.1032; East: 30' Feet Wide Road; West: Plot No.1047., without insisting the production of clearance Certificate/NOC from ULC authorities.

Counsel for the Petitioner : SRI THAKUR ROOPA SINGH

Counsel for the Respondent No.1 : SRI H.SOMIAH EZRA SHASTRI, AGP FOR REVENUE

Counsel for the Respondent No.2 : G.P FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT

Counsel for the Respondent Nos.3 to 5 : SRI G.MADHUSUDHAN REDDY, SC FOR GHMC

The Court at the stage of admission made the following ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT
HYDERABAD

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION No.9093 of 2026

DATE OF ORDER: 26.03.2026

Between:

Smt. Miriyala Manjula.

...Petitioner

AND

The State of Telangana, Revenue (U.L.C) Department and four others.

...Respondents

ORDER:

Heard learned counsel for the petitioner, Sri.H.Somaiah Ezra Shastri, learned Assistant Government Pleader for Assignment appearing for respondent No.1, learned Government Pleader for Municipal Administration and Urban Development appearing for respondent No.2 and Sri.G.Madhusudhan Reddy, learned standing counsel for GHMC appearing for respondent Nos.3 to 5. With their consent, the writ petition is being taken up for disposal at the admission stage itself.

2. This writ petition has being filed seeking the following prayer:-

"to declare the action of the respondent No.4 in issuing Shortfall Letter vide Notice No.042827/CMC/00156/IABP/C49/2026 dated 17.03.2026 to the Provisional Building permission of the petitioner vide Permit No. 042827/CMC/00156/IABP/C49/2026 dated 25.02.2026 as being illegal, arbitrary, discriminatory, contrary to the provisions of GHMC ACT, 1955 and contrary to the Judgement passed this Honorable court in 2001 (3) ALD 600 WP No.25727 of 2000 dated 25.04.2001, WP No.16868 of 2022 dated 26.04.2022, WA No.403 of 2022 dated 05.07.2022 and WP No.540 of 2026 dated 07.01.2026 and consequently set aside the above the Shortfall Letter vide Notice No. 042827/CMC/00156/IABP/C49/2026 dated 17.03.2026 issued by respondent No.4 and to process the Building permission and issue work permit order in respect of Northern Part of Plot No.1032, in Survey

Nos.78 to 93, admeasuring 150 Sq.yards (Out of 300 Square Yards), situated at Raja Rajeswara Nagar, Kondapur (V), Serilingampally (M), Under GHMC, Ranga Reddy District, T.S and bounded by North: Plot No.1031, South: Southern Part of Plot No.1032, East: 30 Feet Wide Road, West: Plot No.1047, without insisting the production of clearance Certificate/NOC from ULC authorities."

3. Brief facts as stated in this writ petition are that the petitioner claims to be the owner and possessor of Plot No.1032, in Survey Nos.78 to 93, admeasuring 150 Sq.yards (Out of 300 Square Yards), situated at Raja Rajeswara Nagar, Kondapur, Serilingampally Mandal, Under GHMC, Ranga Reddy District, having acquired the same through registered sale deed bearing document No.18086 of 2025 dated 30.11.2025. It is submitted that the petitioner with an intention to construct residential building on the subject property made an application on 25.02.2026 and the respondent No.4 issued Provisional Building Permit Order in file No. 042827/CMC/00156/1ABP/C49/2026, dated 25.02.2026, granting permission for construction of Stilt for Parking + 2 upper floor on the subject property. The case of the petitioner is that the respondent No.4 on 17.03.2026, issued impugned shortfall letter bearing No.042827/CMC/00156/1ABP/C49/2026, stating that on inspection of site under reference for the proposal of construction of stilt + 2 upper floors for residential use **"it is observed that the site is covered by Government land and has been entered in prohibitory watch register recording as ceiling surplus land and prima facie title is not established. Further the proposed site is falling in unapproved layout and the same is not regularized under any G.O issued by Government from time to time and also verified all the submitted**

documents along with proposed plans and it is hereby directed to submit an undertaking in Rs.100/- stamp paper duly notarized that after obtaining the building permission for the subject property, he will not club both the permission and construct the building". Aggrieved by the same, this writ petition is filed.

4. Learned counsel for the petitioner submits that in similar circumstance this Court in W.P.No.3949 of 2026 *vide* order dated 10.02.2026, passed the following order:-

"10. Having considered the above facts and circumstance, recording the submission made by learned counsel appearing on either side and in the light of the law laid down in Hyderabad Potteries case (2001 (3) ALD 600) and also in the order passed by the Hon'ble Division Bench of this Court in Writ Appeal No.403 of 2022, dated 05.07.2022 and in terms of order dated 26.10.2022 passed in W.P.No.10352 of 2021, this writ petition is disposed of directing the respondent authorities to process the petitioner's building application in accordance with law, without taking into consideration the report of the District Collector. It is made clear that this Court has not expressed any opinion upon the title of the subject property and it is also made clear that if in future, the subject land is taken over by the Government, the petitioner shall not claim any equities and shall forthwith hand over the same to the Government.

11. With the above directions, this writ petition is disposed of. Miscellaneous applications, if any pending, shall stand closed. No order as to costs."

5. Learned counsel for the petitioner submits that the petitioner would make an application under Section 22-A(4) of the Registration Act, 1908 for deletion of the subject property from the prohibitory register and pray this Court to pass similar order as passed in W.P.No.3949 of 2026 dated 10.02.2026.

6. Learned Assistant Government Pleader and learned standing counsel for GHMC appearing for respondents did not dispute the same.

7. Having considered the above facts and circumstance, recording the submission made by learned counsel appearing on either side and in terms of order passed in W.P.No.3949 of 2026 dated 10.02.2026, this writ petition is disposed of directing the respondent authorities to process the petitioner's building application in accordance with law, without taking into consideration the report of the District Collector, subject to petitioner complying with other shortfall remarks as stated in shortfall letter dated 17.03.2026. It is made clear that this Court has not expressed any opinion upon the title of the subject property and it is also made clear that if in future, the subject land is taken over by the Government, the petitioner shall not claim any equities and shall forthwith hand over the same to the Government. Needless to say that the petitioner shall not create third party rights on the subject property.

8. With the above directions, this writ petition is disposed of. Miscellaneous applications, if any pending, shall stand closed. No order as to costs.

**SDI-P.PONNA KRISHNA
ASSISTANT REGISTRAR**

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SECTION OFFICER

To

1. The Principal Secretary, Revenue (U.L.C) Department, Secretariat Hyderabad.
2. The State of Telangana, Municipalities administration Urban development, Secretariat State of Telangana at Hyderabad.
3. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund Hyderabad.
4. The Greater Hyderabad Municipal Corporation, Deputy Commissioner, Circle No.49, GHMC, Serilingampally Zone, Ranga Reddy District.
5. The Asst. City Planner, Greater Hyderabad Municipal Corporation, Serilingampally Zone, Ranga Reddy District.
6. Two CCs to G.P FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, High Court for the State of Telangana at Hyderabad. [OUT]

7. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
8. One CC to SRI THAKUR ROOPA SINGH, Advocate [OPUC]
9. One CC to SRI G.MADHUSUDHAN REDDY, SC FOR GHMC, Advocate (OPUC)
10. Two CD Copies

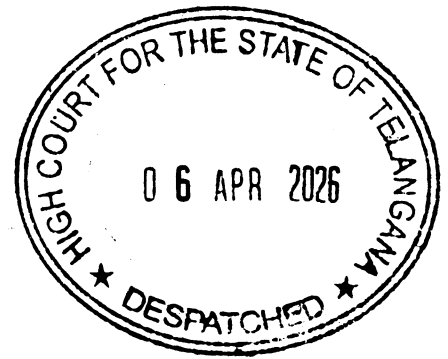
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C.C. TODAY

HIGH COURT

DATED:26/03/2026



ORDER

WP.No.9093 of 2026

DISPOSING OF THE W.P
AT THE STAGE OF ADMISSION
WITHOUT COSTS.

14 copies
by
6/4/26