

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

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

PRESENT

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION NO: 10771 OF 2026

Between:

Talluri Venkata Narasamma, W/o. Talluri Krishna, Aged about 48 years, Occ-Coolie, R/o. H.No. 15-9-570/2, Kaviraj Nagar, Khanapuram Haveli, Khammam Town Khammam District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administrative Department, Secretariat Building, Hyderabad
2. The Khammam Municipal Corporation, Rep. by its Commissioner, Office of the Municipal Corporation, Khammam Town, Khammam District.
3. The Town Planning Officer, Office of the Municipal Corporation, Khammam Town, Khammam 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 acts of the respondents 2 and 3 in issuing the proceedings ROC.No.G1/KMC/TPBO-2/2026, Dt- 20-03-2026 in the name of Show Cause Notice by the office of the 2nd Respondent authority basing upon that the 2nd and 3rd respondent authorities without considering the representation dated- 06-04-2026, 24-03-2026 made by the petitioner to the 2nd respondent authority visiting the house of the petitioner taking steps for demolishing the house of the petitioner bearing H.No. 15-9-570/2, RCC Roof Ground + 1st floor and 2nd floor which is only under construction of slab only admeasuring 69.54 square yards situated at Kaviraj Nagar,

Khanapuram Haveli, Khammam Municipal Corporation Khammam Town, Khammam District Nagar is illegal, arbitrary, violation of Article 14, 16, 21 and 300- A of the constitution of India as well as contrary to the provisions of Telangana Municipalities Act 2019 and consequently direct the respondents 2 and 3 not to demolish the said house property of the petitioner.

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 direct the respondents 2 & 3 authorities not to demolish the house of the petitioner bearing H.No. 15-9-570/2, RCC Roof Ground + 1st floor and 2nd floor which is only under construction of slab only admeasuring 69.54 square yards situated at Kaviraj Nagar, Khanapuram Haveli, Khammam Municipal Corporation, Khammam Town, Khammam District Nagar pending disposal of the writ petition.

Counsel for the Petitioner: SRI S.SRINIVASA SHARMA

Counsel for the Respondent No.1: GP FOR MCPL ADMN UF BAN DEV

Counsel for the Respondent No.2 & 3: SRI P.SRIDHAR RAO , SC FOR MCPL

The Court 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.10771 of 2026

DATE OF ORDER: 09.04.2026

Between:

Smt. Talluri Venkata Narasamma.

...Petitioner

AND

The State of Telangana, Municipal Administration and Urban Development
Department and two others.

...Respondents

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for
Municipal Administration and Urban Development appearing for respondent
No.1, Sri.P.Sridhar Rao, learned standing counsel for Municipality appearing for
respondent Nos.2 and 3. 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 acts of the respondent Nos.2 and 3 in issuing the
proceedings ROC No.GI/KMC/TPBO-2/2026 Dt 20.03.2026 in the
name of Show Cause Notice by the office of the 2nd Respondent
authority basing upon that the 2nd and 3rd respondent authorities
without considering the representation dated 06.04.2026 and
24.03.2026 made by the petitioner to the 2nd respondent authority
visiting the house of the petitioner taking steps for demolishing the
house of the petitioner bearing H.No.15-9-570/2, RCC Roof Ground +
1st floor and 2nd floor which is only under construction of slab only
admeasuring 69.54 square yards situated at Kaviraj Nagar,
Khanapuram Haveli, Khammam Municipal Corporation, Khammam
Town, Khammam District Nagar is illegal, arbitrary, violation of
Article 14, 16, 21 and 300 A of the constitution of India as well as
contrary to the provisions of Telangana Municipalities Act, 2019 and
consequently direct the respondent nos.2 and 3 not to demolish the said
house property of the petitioner."*

3. Brief facts as stated in this writ petition are that the petitioner claims to be the owner and possessor of house bearing Municipal No.15-9-570/2, consisting of RCC Roof Ground + 1st floor, admeasuring 69.54 square yards, situated at Kaviraj Nagar, Khanapuram Haveli, Khammam Municipal Corporation, Khammam Town, Khammam District, having acquired the same through registered gift deed bearing document No.3509 of 2024 dated 10.04.2024. It is submitted that since the small rooms on the ground and first floor were not sufficient, the petitioner intended to construct second floor on the subject property and approached the respondent No.2 office, wherein she was informed that the subject property is only 69.54 Sq.yards, which is below 100 Sq.yards, no permission is required. Hence, the petitioner with her hard earned money started constructing the second floor on the subject property. The case of the petitioner is that the respondent No.2 issued show cause notice bearing No.G1/KMC/TPBO-2/2026 dated 20.03.2026, directing the petitioner not to proceed with any sort of construction and show sufficient cause within (07) days from the date of receipt of the notice, as to why necessary action shall not be initiated against unauthorized building construction, failing which necessary action be initiated under the provision of the Telangana Municipal Act 2019 and TSbPASS Act, 2020. Thereafter, petitioner's son on 24.03.2026 submitted a reply and the petitioner on 06.04.2026 filed a detailed reply to the show cause notice dated 20.03.2026 and the same are still pending for consideration. Pending the same, the respondent authorities are trying to demolish the subject property. Aggrieved by the same, the present writ petition is filed

4. Learned standing counsel for Municipality appearing for respondent Nos.2 and 3 submits that if the petitioner's reply dated 24.03.2026 and 06.04.2026 are still pending for consideration, the respondent authorities would consider the same and would pass appropriate orders in accordance with law.

5. In view of the submission made by learned counsel appearing on either side, without expressing any opinion on the merits of the case and since the petitioner's reply dated 24.03.2026 and 06.04.2026 are pending for consideration, this writ petition is disposed of directing the respondent authorities to consider the petitioner's reply dated 24.03.2026 and 06.04.2026 and after giving fair opportunity of hearing to the petitioner, shall pass appropriate orders strictly in accordance with law and communicate the same to the petitioner. It is made clear that if the petitioner is still aggrieved, liberty is granted to the petitioner to seek appropriate remedy as available under law.

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

**SD/- P. PONNA KRISHNA
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administrative Department, Secretariat Building, Hyderabad, State of Telangana.
2. The Commissioner, Khammam Municipal Corporation, Office of the Municipal Corporation, Khammam Town, Khammam District.
3. The Town planning Officer, Office of the Municipal Corporation, Khammam Town, Khammam District
4. One CC to SRI S.SRINIVASA SHARMA, Advocate [OPUC]
5. One CC to SRI P.SRIDHAR RAO, SC FOR MCPL [OPUC]
6. Two CCs to GP FOR MCPL ADMN URBAN DEV, High Court for the State of Telangana, at Hyderabad [OUT]
7. Two CD Copies

BSR



CC TODAY

HIGH COURT

DATED: 09/04/2026



ORDER

WP.No.10771 of 2026

DISPOSING OF THE WRIT PETITION,
WITHOUT COSTS

(10) NT
13/4/26