



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

**WEDNESDAY, THE EIGHTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE SUDDALA CHALAPATHI RAO

WRIT PETITION NO: 5829 OF 2015

Between:

1. Kamlesh Sharma, S/o. late Ved Prakash Sharma, Hindu, aged 50 years, Govt. Employee, R/o. D.No.21-1-198, Rikab Gunj, Bhalder Wadi, Ghansi Bazar, Hyderabad.
2. Ritesh Kaushik, S/o. Late Sri Narasingh Das Kaushik, Hindu, aged 34 years, Business, R/o. D.No.21-1-207, Rikab Gunj, Bhalder Wadi, Ghansi Bazar, Hyderabad.

...PETITIONERS

AND

1. The Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Hyderabad.
2. Asst. City Planner, The Greater Hyderabad Municipal Corporation, Circle -5, Sardarmahal, Charminar, Hyderabad.
3. Ram Rao Parandker @ R.K.Parandker, Hindu, aged 60 years, S/o. late K.P.Parandker, D.No.21-1-199, Rikab Gunj, Bhalder Wadi Ghansi Bazar, Hyderabad.

...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 action of Respondent No.1 and 2 in not taking any action against Respondent No.3, as he has been constructing the building in D.No.21-1-199, Rikab Gunj, Bhalder Wadi, Ghansi Bazar, Hyderabad contra to the sanctioned plan i.e., Permit No.28629/Dc/SZ/Cir.5/2013 dated 09-10-2013, without leaving any set backs on any side, laid 2 Floor and also raised pillars for 3rd Floor and contra to the G.O.Ms. No.168 dated 07-04-2012 is arbitrary, illegal, irregular, unfair, unconstitutional and against to the provisions of The Hyderabad Municipal Corporations Act 1955, The Building Rules and also violation of Articles 19, 21 and



2026:TSHC:17738

300-A of Constitution of India consequently direct the Respondent No.1 and 2 to take appropriate action against Respondent No.3 as per the Act and its Rules and consequently direct the Respondents to remove the un-authorized constructions made in contra to the approved plan

I.A. NO: 1 OF 2015(WPMP. NO: 7743 OF 2015)

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 to stop the construction of the building carrying by 3rd Respondent in D.No.21-1-199. Rikab Gunj Bhalder Wadi, Ghansi Bazar, Hyderabad pending disposal of the Writ Petition

**Counsel for the Petitioner: SRI CH.L. NARASIMHA RAO REP
SRI. NARASIMHA RAO GUDISEVA**

**Counsel for the Respondent Nos. 1&2: SRI BALU DUDEKULA REP
SRI. RAPARTHI VENKATESH
(SC FOR GHMC TELANGANA)**

**Counsel for the Respondent No.3: Ms. VEDULA CHITRALEKHA REP
SRI. VEDULA SRINIVAS**

The Court made the following: ORDER



2026:TSHC:17738

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HON'BLE SRI JUSTICE SUDDALA CHALAPATHI RAO

WRIT PETITION No.5829 of 2015

DATE: 18.02.2026

Between:

Sri Kamlesh Sharma and another

...Petitioners

AND

The Greater Hyderabad Municipal Corporation,
Rep. by its Commissioner, Hyderabad and others

...Respondents

ORDER:

This Writ Petition is filed under Article 226 of Constitution of India seeking the following relief:-

“...to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of Respondent No.1 and 2 in not taking any action against Respondent No.3, as he has been constructing the building in D.No.21-1-199, Rikab Gunj, Bhalder Wadi, Ghansi Bazar, Hyderabad contra to the sanctioned plan i.e., Permit No.28629/Dc/SZ/Cir.5/2013 dated 09-10-2013, without leaving any set backs on any side, laid 2 Floor and also raised pillars for 3rd Floor and contra to the G.O.Ms. No.168 dated 07-04-2012 is arbitrary, illegal, irregular, unfair, unconstitutional and against to the provisions of The Hyderabad Municipal Corporations Act 1955, The Building Rules and also violation of Articles 19, 21 and 300-A of Constitution of India consequently direct the Respondent No.1 and 2 to take appropriate action against Respondent No.3 as per the Act and its Rules and



consequently direct the Respondents to remove the unauthorized constructions made in contra to the approved plan and to pass...."

2. Heard Sri CH. L. Narasimha Rao, learned counsel representing Sri G. Narasimha Rao, learned counsel for the petitioners; Sri Balu Dudekula, learned counsel representing Sri Raparthi Venkatesh, learned Standing Counsel for GHMC, for respondent Nos.1 and 2 and Ms. Vedula Chitralekha, learned counsel representing Sri Vedula Srinivas, learned Senior Counsel for respondent No.3. Perused the record.
3. The grievance of the petitioners is that respondent No.3 has undertaken construction at D.No.21-1-199, Rikab Gunj, Bhalder Wadi, Ghansi Bazar, Hyderabad, in deviation of the sanctioned plan, without leaving the required setbacks and in violation of the applicable statutory provisions, and that respondent Nos.1 and 2 have failed to initiate appropriate action in accordance with law.
4. When the matter is taken up for hearing, learned counsel for the petitioners submitted that respondent No. 3 is no more.
5. In view of the above submission, this Court is of the opinion that the appropriate course would be to direct



respondent Nos.1 and 2 to proceed strictly in accordance with the provisions of the Greater Hyderabad Municipal Corporation Act, 1955 (for short, "the GHMC Act"), and the Rules made thereunder, if the constructions on the subject property are found to be illegal. In the event respondent No.3 is deceased, respondent Nos.1 and 2 may issue notice to his legal heirs and shall strictly adhere to the procedure contemplated under the GHMC Act by issuing a duly framed statutory notice, affording them a reasonable opportunity to submit explanation along with all relevant documents, and, upon due consideration thereof, pass a reasoned and speaking order in accordance with law, and any further action shall be taken only pursuant to such order.

6. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any are pending, shall stand closed.

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SD/- B.REKHA RANI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad.
2. Asst. City Planner, The Greater Hyderabad Municipal Corporation, Circle -5, Sardarmahal, Charminar, Hyderabad.
3. One CC to SRI. NARASIMHA RAO GUDISEVA Advocate [OPUC]
4. One CC to SRI. RAPARTHI VENKATESH (SC FOR GHMC TELANGANA) Advocate [OPUC]
5. One CC to SRI. VEDULA SRINIVAS Advocate [OPUC]
6. Two CD Copies



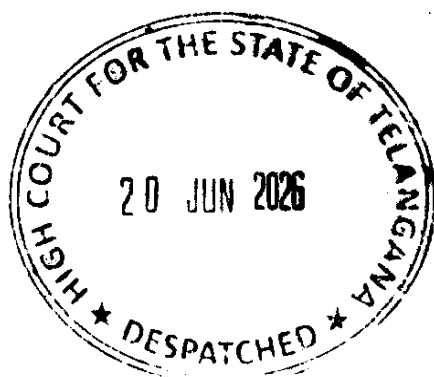
2026:TSHC:17738

HIGH COURT

DATED: 18/02/2026

ORDER

WP.No.5829 of 2015



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

⑧
11/06/26
K.L