

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WP Nos: 11914, 11887 and 12051 OF 2026

WP.NO. 11914 OF 2026

Between

1. THE AHMEDGUDA PHASE2 FLAT OWNERS WELFARE, AND MAINTENANCE MUTUALLY AIDED CO-OPERATIVE SOCIETY FEDERATION LTD. Regd No. TG/MLKG/MACS/2025-321/FED Having its office at Ahmedguda, 2BHK Near RGK Colony, Keesara, Ahmadguda(V), Keesara(M), Medchal Malkajgiri(Dist) Represented by. Chairman, M. Rajani, W/o. M. Srihari Goucl, Aged about 29 years, Occ.Housewife/Chairman, R/o. Ahmedguda 2BHK Dignity Housing Phase-II, Ahmadguda (V), Keesara (M), Medchal-Malkajgiri (D).
2. Sandyarani, W/o. Venkateswar Rao, Aged about 43 years, Occ. Housewife, R/o. Ahmedguda 2BHK Dignity Housing Phase-II, Ahmadguda (V), Keesara (M), Medchal-Malkajgiri (D).
3. L. Swarnalatha, W/o. Rudrachari, Aged about 25 years, Occ. Housewife, R/o. Ahmedguda 2BHK Dignity Housing Phase-II, Ahmadguda (V), Keesara (M), Medchal-Malkajgiri (D).
4. B. Shashirekha, W/o. Raghunath, Aged about 33 years. Occ. Housewife, R/o. Ahmedguda 2BHK Dignity Housing Phase-II, Ahmadguda (V), Keesara (M), Medchal-Malkajgiri (D).
5. K. Lalitha, W/o. K. Ashok. Aged about 27years. Occ. Housewife R/o. Ahmedguda 2BHK Dignity Housing Phase-II. Ahmadguda (V), Keesara (M), Medchal-Malkajgiri (D).

.....PETITIONERS

AND

1. The State Of Telangana, Represented by its Principal Secretary, Department of Municipal Administration and Urban Development, Secretariat, Hyderabad, Telangana.
2. The State Of Telangana, Revenue Department Represented by its Principal Secretary, Secretariat, Hyderabad, Telangana.
3. The District Collector/Executive Director (H), IDOC, Collectorate, Anthaipally, Shamirpet, Medchal Malkajgiri District, Telangana.
4. The Revenue Divisional Officer, Keesara, Medchal Malkajgiri District, Telangana.

.....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/Orders, or Direction, more particularly one in the nature of a WRIT OF CERTIORARI, calling for the records pertaining to the Auction Notice bearing Notification No. 47/2BHK/Shops/2026, dated 04-04-2026, issued by the 2nd Respondent, and quash the same as being illegal, arbitrary, and unconstitutional and also directing the Respondents to frame a comprehensive policy for leasing out the commercial shops in the Ahmedguda Phase-II 2BHK Dignity Housing Colony and to create dedicated, non-lapsable corpus fund from the rental proceeds to be used elusively for the maintenance, upkeep, and development of the said Colony.

I.A. NO: 1 OF 2026

Petition under Section 151 of C.P.C praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the impugned Auction Notice bearing Notification No.47/2BHK/Shops/2026, dated 04-04-2026, issued by the 2nd Respondent, insofar as it relates to the 156 commercial shops at Ahmedguda, Sy.No. 24/2 and 24/3, in the interest of justice, pending disposal of WP No 11914 of 2026, on the file of the High Court.

The petition coming on for hearing, upon perusing the petition and the grounds filed in support thereof and upon hearing the arguments of SRI B H SAI MAHESH Advocate for the Petitioners, GP FOR MA & UD for respondent No.1 & 3 and GP FOR REVENUE for respondent Nos. 2 & 4.

WP NO: 11387 OF 2026

Between

1. Rajeev Welfare Association, Reg. No. 862 of 1997, LB Nagar, behind Kalpana Theatre, Kavadiguda, Hyderabad, represented by its President, Doornala Sanjeeva, S/o Late Balaraj, aged about 64 years, Occ- Labourer, R/o Flat no. 306, 2BHK Dignity Housing Colony, L.B. Nagar, Bakaram (V), Musheerabad (M), Hyderabad District, Telangana.
2. Dasari Geetha, W/o Babu Rao, Aged about 45 years, Occ- Housewife, R/o Flat No. 502, 2BHK Dignity Housing Colony, L.B. Nagar, Bakaram (V), Musheerabad (M), Hyderabad District, Telangana.
3. Lingampally Prasanna, W/o Lingampally Thirumalesh, aged about 35 years, Occ- Housewife, R/o Flat No. 106, 2BHK Dignity Housing Colony, L.B. Nagar, Bakaram (V), Musheerabad (M), Hyderabad District, Telangana.
4. Saga Pavani, W/o Saga Kumar, aged about 32 years, Occ- Housewife, R/o Flat No. 402, 2BHK Dignity Housing Colony, L.B. Nagar, Bakaram (V), Musheerabad (M), Hyderabad District, Telangana.
5. Jenda Suguna, W/o J. Ganesh, aged about 45 years, Occ- Housewife, R/o Flat No. 505, 2BHK Dignity Housing Colony, L.B. Nagar, Bakaram (V), Musheerabad (M) Hyderabad District, Telangana.

.....PETITIONERS

AND

1. The State of Telangana, represented by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Hyderabad District, at Lakdikapul, Hyderabad.
3. The Revenue Divisional Officer, Secunderabad, at Secunderabad.
4. The Tahsildar, Musheerabad Mandal, Hyderabad District.
5. The Greater Hyderabad Municipal Corporation (GHMC), represented by its Commissioner, Tank Bund, Hyderabad.
6. The Project Director, Housing,, Office of Hyderabad District Collectorate, At Lakdikapool 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents, particularly the 2nd respondent, in issuing Auction Notification No. Housing/ H2/996/2026, dated 05.04.2026, insofar as Serial No. 10 relating to 6 shops situated in the 2BHK Dignity Housing Colony, L.B. Nagar, Bakaram (V), Musheerabad (M) Hyderabad District, Telangana, as illegal, arbitrary, discriminatory, and violative of the principles of natural justice and consequently set aside the said notification, further direct the respondent no. 2 to allow the petitioner no.1 to let out the shops for the purpose of maintenance of entire subject unit namely 2BHK. Dignity Housing Colony situated at L.B. Nagar, Bakaram (V), Musheerabad (M), Hyderabad District;

I.A. NO: 1 OF 2026

Petition under Section 151 of C.P.C 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, including confirmation of sale, in pursuance of Auction Notification No. Housing/H2/996/2026, dated 05.04.2026, issued by Respondent No.2 relating to 6 shops situated in the 2BHK Dignity Housing Colony, L.B. Nagar, Bakaram (V), Musheerabad (M) Hyderabad District, Telangana, pending disposal of WP No 11887 of 2026, on the file of the High Court.

The petition coming on for hearing, upon perusing the petition and the grounds filed in support thereof and upon hearing the arguments of SRI M V HANUMANTHA RAO Advocate for the Petitioners, GP FOR REVENUE for the Respondent Nos. 1 to 4, SRI SRINIVASA RAO PACHWA, Standing Counsel for respondent No. 5 and GP FOR HOUSING for respondent No.6.

WP NO: 12051 OF 2026

Between

1. Banoth Kavya, W/o.Banoth Kotesb Naik, aged about 31 years,Occ Housewife, R/o.52, Road No.4, Khairtabad, Banjara Hills, Hyderabad, TS-500034.
2. Katravath Ruknamma, C/o.Katravath Lakshmaiah, aged about 61 years, OccHousewife, R/o.3-45, Jeelugupally Thanda, Ausalikunta, Lingal, Mahaubanagar, TS-509401.
3. Peddiniti Nagamani, C/o.P.Ramu, aged 41 years, Occ Housewife, R/o.6-3-117/A/2, B.S.Maktha, Begumpet, Ameerpet, Hyderabad, TS-500016.

4. Managali Anasuya, W/o.Mangali Shiva Raju, aged about 35 years, Occ Housewife, R/o.1-1-75, Hyder Nagar, Near Govt School, Balanagar, Hyderabad, TS-500016.

5. Yogitha Biradar, C/o.Tulsi Das Biradar, aged about 37 years, OccHousewife, R/o.8-3-502/9/B, Sanjay Gandhi Nagar, Yellareddyguda, Srinagar Colony, Khairtabad, Hyderabad, TS-500073.

.....PETITIONERS

AND

1. The State of Telangana, Rep.by its Principal Secretary Revenue Department, Secretariat, Hyderabad, TS.

2. The District Collector, Sangareddy District, TS.

3. The Revenue Divisional Officer, Sangareddy District, TS.

4. The Tahsildar, Ramachandrapuram Mandal, Sangareddy District, TS.

5. The Telangana Housing Corporation Limited, Rep.by its Managing Director, 2nd Floor, GHMC Office Complex, Hari Kara Kala Bhavan, Secunderabad, TS.

6. The Project Director, 2BHK Dignity Housing Scheme, Sangareddy, TS.

7. The Cyberabad Municipal Corporation, (erstwhile Greater Hyderabad Municipal Corporation) Rep.by its Commissioner, National Academy of Construction Building, Hitex, Madhapur, Hyderabad.

8. The Deputy Commissioner, Circle-46, Cyberabad Municipal Corporation, TS.

9. The Union of India, Rep.by its Secretary, Ministry of Housing and Urban Affairs, Sankalp Bhawan 3rd Floor, Kasturba Gandhi Marg New Delhi - 110001.

.....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 an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents, more particularly Respondent No.2 in issuing the Impugned Auction Notice vide Notification No.35/A1/Estt./TGHCL/SRD/2BHK/2024 dt.06/04/2026 for auctioning of 118 shops in 2BHK Dignity Houses, Kollur Village, Ramachandrapuram Mandal, SangaReddy District, TS, without issuing a prior notice and without affording an Pradhan Mantri Awas Yojana-Urban, as illegal, arbitrary and unconstitutional, violation of Article 14, 21 and 300A of Constitution of India, besides violation of the Pradhan Mantri Awas Yojana Scheme-Urban and Consequently set aside the Impugned Auction Notice vide Notification No.35/A1/Estt./TGHCL/SRD/2BHK/2024 dt.06/04/2026 issued by Respondent No.2 and further direct the Respondents not to auction the 118 shops in 2BHK Dignity Houses, Kollur Village, Ramachandrapuram Mandal, SangaReddy District, TS, by considering the Petitioners' Representations dt.06/04/2026, 08/04/2026, 10/04/2026 and 13/04/2026 ;

I.A. NO: 1 OF 2026

Petition under Section 151 of C.P.C praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the Impugned Auction Notice vide Notification No.35/A1/Estt./TGHCL/SRD/2BHK/2024 dt.06/04/2026 issued by Respondent No.2, pending disposal of WP No 12051 of 2026, on the file of the High Court.

The petition coming on for hearing, upon perusing the petition and the grounds filed in support thereof and upon hearing the arguments of SRI C H JAYAKRISHNA Advocate for the petitioners, GP FOR REVENUE for the respondent Nos. 1, 2, 3 & 4, SRI G. MADHUSUDHAN RAO, Standing Counsel for respondent Nos. 7 & 8 and SRI N. BHUJANGA RAO, DSSGI for respondent NO.9, the court made the following.

ORDER

Mr. Ravi Kumar, learned Assistant Government Pleader representing learned Advocate General submitted that the auction of the commercial shops, which is subject matter of these writ petitions, has been conducted today in accordance with G.O.Rt.No.133 Transport, Roads and Buildings (RH&C.A1) Department dated 28.02.2026. According to the learned Assistant Government Pleader, the sale proceeds will be utilized for maintaining the common amenities in the apartment complexes.

However, Mr. Ch. Jaya Krishna, Mr. M.V. Hanumantha Rao and Mr. B.H. Sai Mahesh, learned counsel for the petitioners, relied on Para 1.11 of the Pradhan Mantri Awas Yojana (Urban) 2.0 (PMAY) and submitted that the State Governments and Implementing Agencies should ensure the formation of beneficiary residents associations such as Resident Welfare Association. Thus, when the association is formed, all the amenities including the shops have to be leased out and the rentals collected from the shops have to be utilized for taking care of facilities and maintenance of the houses built under the scheme. The guidelines issued by the Central Government are binding on the State Government.

In response, the learned Assistant Government Pleader submitted that the guidelines of the PMAY scheme are not applicable to the State Government, as the land was contributed by the State and commercial shops are constructed by the State Government.

The matter requires consideration after counters are filed by the respondents.

It is made clear the respondents are at liberty to go ahead with the auction sale finalization. However, the same shall be subject to further orders of this Court.

List on 06.07.2026.

Sd/- N.CHANDRA SEKHAR RAO
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, State Of Telangana, Department of Municipal Administration and Urban Development, Secretariat, Hyderabad, Telangana.
2. The Principal Secretary, State Of Telangana, Revenue Department Secretariat, Hyderabad, Telangana.
3. The District Collector/Executive Director (H), IDOC, Collectorate, Anthaipally, Shamirpet, Medchal Malkajgiri District, Telangana.
4. The Revenue Divisional Officer, Keesara, Medchal Malkajgiri District, Telangana.
5. The Principal Secretary, State of Telangana, Revenue Department, Secretariat, Hyderabad.
6. The District Collector, Hyderabad District, at Lakdikapul, Hyderabad.
7. The Revenue Divisional Officer, Secunderabad, at Secunderabad.
8. The Tahsildar, Musheerabad Mandal, Hyderabad District.
9. The Commissioner, Greater Hyderabad Municipal Corporation (GHMC), Tank Bund, Hyderabad.
10. The Project Director, Housing,, Office of Hyderabad District Collectorate, At Lakdikapool Hyderabad.
11. The District Collector, Sangareddy District, TS.
12. The Revenue Divisional Officer, Sangareddy District, TS.
13. The Tahsildar, Ramachandrapuram Mandal, Sangareddy District, TS.
14. The Managing Director, Telangana Housing Corporation Limited, 2nd Floor, GHMC Office Complex, Hari Kara Kala Bhavan, Secunderabad, TS.
15. The Project Director, 2BHK Dignity Housing Scheme, Sangareddy, TS.
16. The Commissioner, Cyberabad Municipal Corporation, (erstwhile Greater Hyderabad Municipal Corporation) National Acacemy of Construction Building, Hitex, Madhapur, Hyderabad.
17. The Deputy Commissioner, Circle-46, Cyberabad Municipal Corporation, TS.
18. The Secretary, Union of India, Ministry of Housing and Urban Affairs, Sankalp Bhawan 3rd Floor, Kasturba Gandhi Marg New Delhi - 110001.
(RR 1 to 18 by SPAD)
19. One CC to Sri. B H SAI MAHESH Advocate [OPUC]
20. One CC to Sri. CH. JAYA KRISHNA Advocate [OPUC]
21. One CC to Sri. M.V. HANUMANTHA Advocate [OPUC]
22. Two CCs to GP FOR REVENUE, High Court at Hyderabad.(OUT)
23. Two CCs to GP FOR HOUSING, High Court at Hyderabad.(OUT)
24. Two CCs to GP FOR MA & UD, High Court at Hyderabad.(OUT)
25. One spare copy

HIGH COURT

BVR, J

DATED: 21-04-2026

LIST ON 06.07.2026

ORDER

WP.Nos.11914, 11887 and 12051 of 2026

DIRECTION

