

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction) 4.**

**THURSDAY, THE THIRTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE LAXMI NARAYANA ALISHETTY

WRIT PETITION NO: 14054 OF 2019

Between:

1. Syed Anwar, S/o Late Syed Alla Baksh, Muslim, aged about 48 years. Occ. Business, R/o 16-8-6, Chanchalguda, Hyderabad.
2. Syed Siraj Mehdi, S/o Late Syed Alla Baksh, Muslim, aged about 40 years, Occ. Business. R/o 16-8-6, Chanchalguda, Hyderabad.

.....PETITIONERS

AND

1. Greater Hyderabad Municipal Corporation, Represented by its Commissioner. Tank Bund Road, Hyderabad, Telangana State.
2. Greater Hyderabad Municipal Commissioner, Represented by its Assistant Town Planner. Circle No.6, Charminar, Hyderabad Telangana State.
3. Syed Noor Mohammed, S/o Syed Dawood, Muslim, aged about 30 years, Occ. Business. R/o 16-8-6. Chanchalguda, Near A-1 Kirana, Hyderabad, Telangana State.
4. Syed Faisal Dawood, S/o Late Syed Dawood, Muslim. aged about 30 years, Occ. Business, R/o 16-8-6, Chanchalguda, Near A-1 Kirana, Hyderabad. Telangana State.

.....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 preferably a Writ in the nature of Writ of Mandamus by declaring the inaction on the part of the of the respondent no.1 and 2, in not disposing off the petitioners representation dated 28.6.2017 as illegal, and also by directing the respondent No.1 and 2 to demolish the illegal construction

consisting of first floor in premises No.16-8-6, situated at Chanchalguda, Hyderabad with a further direction to remove the illegal construction in the interest of justice.

I.A.NO:1 OF 2019

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 respondent no.1 and 2, to dispose off the representation of the petitioner dated 28.6.2019 in the interest of justice.

**Counsel for the Petitioners : SRI MOHD ISMAIL, COUNSEL REPRESENTING
SRI R.A.ACHUTHANAND**

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

Counsel for the Respondent Nos.3 & 4 : SRI L.VISWANATH

The Court made the following ORDER

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

THE HON'BLE SRI JUSTICE LAXMI NARAYANA ALISHETTY

WRIT PETITION No.14054 of 2019

DATE OF ORDER: 30.04.2026

BETWEEN:

Syed Anwar and another

... Petitioners

AND

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

... Respondents

: ORDER :

This writ petition is filed to declare the action of the respondent Nos.1 and 2 in not disposing off the petitioners' representation dated 28.06.2017, as illegal and arbitrary and for consequential relief.

2. Sri Mohd.Ismail, learned counsel representing Sri R.A.Achuthanand, learned counsel for the petitioners on record and Sri Raparthi Venkatesh, learned Standing Counsel for respondent Nos.1 and 2, and Sri L.Viswanath, learned counsel for respondent No.4, are present.

3. Learned counsel for the petitioners would submit that the property bearing M.No.16-8-6, Chanchalguda, Hyderabad, belonged to the petitioners' father late Syed Alla Baksh, who purchased the said property from Husnain Banu. The petitioners' father died on 27.02.2001 and mother on 09.06.2010 leaving behind six daughters and seven sons. The petitioners' father has purchased land property admeasuring 134 sq.yards and 44 sq.ards bearing D.No.16-8-6 part, situated at Chanchalguda, Hyderabad, under registered Sale Deed dated 08.01.1953 bearing Doc.No.25 of 1953; that after death of petitioners' parents, the said property became 'Matruka Property'. Respondent Nos.3 and 4 are the sons of petitioners' brother late Syed Dawood, who died in the year 2003; that respondent Nos.3 and 4 taking advantage of the absence of that the petitioners and other brothers who had gone to pilgrimage, commenced illegal and unauthorized construction of the first floor, without obtaining valid permission, without leaving required setbacks and encroaching upon the common passage by raising rooms and staircase. Challenging the same, the petitioners submitted representation dated 28.06.2019 to the respondent Nos.1 and 2 requesting to take action against the illegal construction. However, the official respondents failed to

take any action against the said illegal construction. Aggrieved by the same, present writ petition is filed. .

4. Learned Standing Counsel for GHMC by referring to the counter submitted that Respondent No.4 is the owner of the subject property; that subsequent to the filing of the writ petition, respondent No.4 submitted an application on 03.06.2021 under Section 455 A and 455 AA of the GHMC Act, 1955, for regularization of unauthorized construction and the same is pending for consideration with the concerned authority; that subject to the outcome of the application filed by the respondent No.4, respondent-GHMC will take further action.

5. Considering the submissions made by learned counsel for the petitioners, learned Standing Counsel for GHMC and learned counsel for respondent No.4, this Writ Petition is disposed of with a direction to respondent No.2 to consider the application dated 03.06.2021, submitted by respondent No.4 under Sections 455 A and 455 AA of the GHMC Act, and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order. Subject to result of the application filed by respondent No.4, the respondent No.2 is directed to take appropriate action to

redress the petitioners' grievance strictly in accordance with law. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

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

//TRUE COPY//



SECTION OFFICER

To

1. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund Road, Hyderabad, Telangana State.
2. The Assistant Town Planner, Greater Hyderabad Municipal Commissioner, Circle No.6, Charminar, Hyderabad Telangana State.
3. One CC to SRI R.A.ACHUTHANAND, Advocate [OPUC]
4. One CC to SRI RAPARTHI VENKATESH (SC FOR GHMC TELANGANA) Advocate [OPUC]
5. One CC to SRI L.VISWANATH, Advocate (OPUC)
6. Two CD Copies

SA

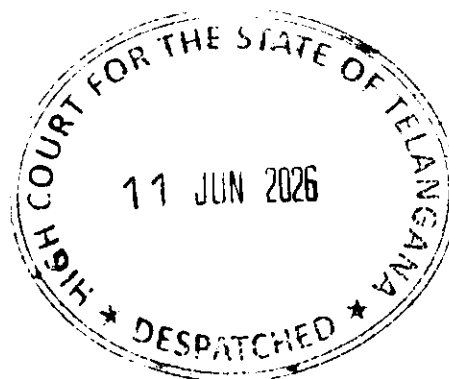


HIGH COURT

DATED: 30/04/2026

ORDER

WP.No.14054 of 2019



DISPOSING OF THE W.P

WITHOUT COSTS.

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148
10/6/26