

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

WEDNESDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND TWENTY SIX

:PRESENT:

**THE HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY
WP NO: 13312 OF 2025**

Between:

Vanam Kamalamma, W/o Laxminaryana

Petitioner

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Admn and Urban Development Department, Secretariat Buildings, Hyderabad.
2. The Municipal Corporation, Khammam, Represented by its Commissioner Khammam, Khammam District
3. The Commissioner, Municipal Corporation Khammam Khammam District
4. Chunchu Gopalakrishna Prasad, S/o Raghava Rao Occ- Business R/o 6-1-218 VDOs Colony, Khanapuram Haveli, Khammam
5. Namburi Srihar Rao, S/o Venkaiah Occ- Business R/o 6-1-218 VDOs Colony, Khanapuram Haveli, Khammam
6. Samineni Radha, W/o Kishan Rao, Occ- Household R/o 6-1-218 VDOs Colony, Khanapuram Haveli, Khammam
7. Chunchu Mounika, D/o Gopala Krishna Prasad W/o V. Ramchander Somdeep Occ- Software Employee R/o 5-1-664 New Vision School, Kavirajunagar, Khanapuram Haveli, Khammam
8. Namburi Venugopal, S/o N. Srihari Rao Occ- Business R/o H No.1-915, Near Sagar Guest House, Madira Town and Mandal, Khammam District.
9. M/s SAP Builders, Represented by its designated Managing Partner Meda Prashantha Laxmi W/o Bikkasani Jaswanth, Occ. Business, R/o- H-No 5-6-19/1/A, Pakabanda Bazar, Khammam

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 a writ of Mandamus declaring the inaction of the Respondent Nos.2 and 3 on the representations/notices dated 17.04.2023 and 24.05.2024 of the petitioner, seeking to cancel the permission dated 10.03.2022 in file No.004952/DP/DTPC/3018/0074/2021, as well as occupancy certificate vide File No.001029/OC/DTPC/3018/0883/ 2024 dated 09.05.2024 and unauthorized construction made in subject land in Sy No.80 situated at Pakabanda Revenue Village, Mamatha Hospital Road, Khammam District as illegal, arbitrary, unconstitutional and contrary to the provisions of The Telangana Municipalities Act, 2019 and the Rules made there under and consequently direct the Respondent Nos.2 and 3 to take appropriate action thereon.

IA NO: 1 OF 2025

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 Nos.2 and 3 to consider and dispose off the representations/ notices dated 17.04.2023 and 24.05.2024 and take necessary action thereon, pending disposal of WP 13312 of 2025, on the file of the High Court.

IA NO: 2 OF 2025

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 suspend the permission for construction vide file No.004952/DP/DTPC/3018/0074/2021 dated 10.03.2022 and occupancy certificate vide File No.001029/OC/DTPC/ 3018/0883/2024 dated 09.05.2024 issued by the respondent Nos.2 and 3 in respect of land in Sy No.84 situated at Pakabanda Revenue Village, Mamatha Hospital Road, Khammam District, pending disposal of WP 13312 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated 02.05.2025, 08.04.2026, 22.04.2026 & 29.04.2026 made herein and upon hearing the arguments of Sri P Venkat Reddy Advocate for the Petitioner, GP FOR MCPL ADMN URBAN DEV Advocate for the Respondent No.1, Mr. P. Sreedhar Reddy, standing counsel for respondent Nos. 2 & 3 and Mr. N. Sreedhar Reddy, counsel for respondent Nos. 4 to 9, the Court made the following.

ORDER:

Heard Mr. P. Venkat Reddy, learned counsel for the petitioner, Mr. P. Sreedhar Reddy, learned standing counsel for respondent Nos.2 and 3, and Mr. N. Sreedhar Reddy, learned counsel for respondent Nos.4 to 9.

Learned counsel for the petitioner relied on the copy of sketch prepared by the Deputy Inspector of Survey, Khammam Division, dated 28.12.2024 where under it was clarified that building construction undertaken by unofficial respondents is in the land in Survey No.80 of Pakabanda Village. Thus, respondent No.2 was directed by this Court by order dated 02.05.2025 to consider the representations of the petitioner dated 17.04.2023 and 24.05.2024 for cancelling the occupancy certificate dated 09.05.2024 issued in favour of respondent Nos.4 to 6.

Learned counsel for respondent Nos.4 to 9 submitted that suit for mandatory injunction in O.S. No.660 of 2022 before the learned IV Addl. Junior Civil Judge, Khammam (trial Court), by the petitioner seeking removal of unauthorized construction allegedly made by unofficial respondents. In fact, interlocutory application filed in I.A. No.1 of 2022 in O.S. No.660 of 2022 seeking temporary injunction has been dismissed by trial Court by order dated 17.10.2023. When comprehensive suit is pending, petitioner cannot be permitted to proceed with this writ petition.

Learned counsel further submitted that order dated 02.05.2025 passed by this Court is causing hardship to respondent Nos.4 to 9 and occupants of flats which have been constructed as per the sanctioned plan.

In view of the above submissions, considering the pendency of suit in O.S. No.660 of 2022, order dated 02.05.2025 is recalled.

According to learned counsel for the petitioner, any further alienation made in respect of subject property would lead to multiplicity of litigations. Hence, petitioner is at liberty to file appropriate application in O.S. No.660 of 2022 for not creating any further alienation or third party interests. The application if any filed by the petitioner in O.S. No.660 of 2022 shall be heard on merits, without being influenced by any of the observations made in this order.

Respondent No.2 shall file counter by next date of hearing.

List the matter on 19.08.2026.

Sd/- AHMAD ABDULLA KHAN
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Admn & Urban Development Department, Secretariat Buildings, State of Telangana, Hyderabad. ✓
2. The Municipal Corporation, Khammam, Represented by its Commissioner Khammam, Khammam District ✓
3. The Commissioner, Municipal Corporation Khammam Khammam District -
4. Chunchu Gopalakrishna Prasad, S/o Raghava Rao, Occ- Business R/o 6-1-218, VDOs Colony, Khanapuram Haveli, Khammam. -
5. Namburi Srihar Rao, S/o Venkaiah, Occ- Business, R/o 6-1-218, VDOs Colony, Khanapuram Haveli, Khammam. -
6. Samineni Radha, W/o Kishan Rao, Occ- Household, R/o 6-1-218, VDOs Colony, Khanapuram Haveli, Khammam. -
7. Chunchu Mounika, D/o Gopala Krishna Prasad W/o. V. Ramchander Somdeep, Occ- Software Employee, R/o. 5-1-664, New Vision School, Kavirajunagar, Khanapuram Haveli, Khammam. -
8. Namburi Venugopal, S/o N. Srihari Rao, Occ- Business, R/o. H No.1-915, Near Sagar Guest House, Madira Town and Mandal, Khammam District. -
9. The Designated Managing Partner, Meda Prashantha Laxmi W/o Bikkasani Jaswanth, M/s SAP Builders, Occ. Business, R/o- H-No 5-6-19/1/A, - Pakabanda Bazar, Khammam. ✓

[For 1 to 9 by SPAD]

10. One CC to SRI. P VENKAT REDDY Advocate [OPUC] ✓
11. Two CCs to GP FOR MCPL ADMN URBAN DEV ,High Court at Hyderabad. [OUT] ✓
12. One spare copy ✓

HIGH COURT

BVR, J

DATED: 22.07.2026

Post on 19.08.2026



ORDER

WP.No.13312 of 2025

INTERIM ORDER RECALLED