

(SHOW CAUSE NOTICE BEFORE ADMISSION)

HIGH COURT FOR THE STATE OF TELANGANA ✓
AT HYDERABAD

THURSDAY, THE TWENTY THIRD DAY OF APRIL ✓
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR ✓

WP NO: 12863 OF 2026

Between:

1. Ashok Kumar Agarwal, S/o Hari Kisan Agarwal.
2. Anand Kumar Agarwal, S/o Hari Kisan Agarwal.
3. Atul Kumar Agarwal, S/o Hari Kisan Agarwal.

Petitioners ✓

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department. Secretariat Buildings, Secretariat, Hyderabad.
2. Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Tank Bund Hyderabad, Telangana State.
3. Hyderabad Disaster Response and Asset Monitoring and Protection Agency (HYDRA), Represented by its Commissioner, 6th and 7th floor, Buddha Bhavan. Tank Bund Rd., Hyderabad, Telangana.

Respondents ✓

WHEREAS the Petitioners above named through their Advocate SRI PRAMOD MALIGI presented this 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 order, direction or Writ more particularly, in the nature of a Writ of Mandamus. ✓

A. Declaring the action of the Respondents, more specifically, the 3rd Respondent herein in fencing and erecting a board over the Petitioners' Property, i.e. land admeasuring 1537.5 sq. yards in Survey No. 102/3, B.K. Guda, SR Nagar, Hyderabad, as illegal, arbitrary and in violation of the decree passed in O.S. No.136 of 2005, orders passed in W.P. (PIL) No. 74 of 2016, provisions of the GHMC Act and rights conferred under Article 14, 19 and 300A of the Constitution of India and not to mention the violation of principles of natural justice. ✓

B. Direct the Respondents more specifically to remove the fencing and board over the i.e. land admeasuring 1537.5 sq. yards in Survey No. 102/3, B.K. Guda, SR Nagar, Hyderabad.

C. Any other relief as this Court deems fit and proper in the circumstances of the case, in the interest of justice.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of SRI PRAMOD MALIGI Advocate for the Petitioners, GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT appearing for the Respondent no.1, SRI M. ARUN KUMAR Standing Counsel for GHMC appearing for the Respondent no.2 and SRI S. KOUSTUBH COUNSEL APPEARING ON BEHALF OF SRI R. SAMEER AHMED, Standing Counsel for HYDRAA appearing for the Respondent no.3 directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Municipal Administration and Urban Development Department. Secretariat Buildings, Secretariat, State of Telangana, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bunt Hyderabad, Telangana State.
3. The Commissioner, Hyderabad Disaster Response and Asset Monitoring and Protection Agency (HYDRA), 6th and 7th floor, Buddha Bhavan. Tank Bund Rd., Hyderabad, Telangana.

are directed to show cause on or before 11.06.2026 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

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 pass an Order directing the Respondents, more particularly Respondent No. 3, to remove the board and fencing, i.e. land admeasuring 1537.5 sq. yards in Survey No. 102/3, B.K. Guda, SR Nagar, Hyderabad, pending disposal of WP No 12863 of 2026, on the file of the High Court.

The Court made the following

ORDER:

Notice before admission.

Learned Government Pleader for MA&UD takes notice on respondent No.1.

Sri. M. Arun Kumar, learned standing counsel for GHMC takes notice on respondent No.2.

Sri. S. Koustubh, learned counsel appearing on behalf of Sri.R.Sameer Ahmed, learned standing counsel for HYDRAA takes notice on respondent No.3.

This writ petition is filed seeking the following prayer:-

"A) to declare the action of the Respondents more specifically the 3rd Respondent herein in fencing and erecting a board over the Petitioners' Property i.e land

admeasuring 1537.5 sq.yards in Survey No.102/3, B.K.Guda, SR Nagar, Hyderabad, as illegal, arbitrary and in violation of the decree passed in O.S No.136 of 2005 orders passed in W.P(PIL) No.74 of 2016, provisions of the GHMC Act and rights conferred under Article 14, 19 and 300A of the Constitution of India and not to mention the violation of principles of natural justice.

B) to direct the Respondents more specifically to remove the fencing and board over the land admeasuring 1537.5 sq.yards in Survey No.102/3, B.K.Guda, SR Nagar, Hyderabad."

Sri.A.Venkatesh, learned senior counsel appearing on behalf of learned counsel for the petitioners' would submit that by referring to the orders passed by the XIV Additional Chief Judge (F.T.C), City Civil Court, Hyderabad (hereinafter referred as 'the trial Court') in O.S.No.136 of 2005 dated 05.11.2012 and common order passed by the Hon'ble Division Bench of this Court in W.P.(PIL) No.74 of 2016 and W.P.No.17053 of 2016, the petitioners on 25.02.2026, made a representation and requested respondent No.3 to remove the illegally erected "Government Land" signboard and fencing laid on the petitioners' land, situated in Sy.No.102/3, B.K.Guda, SR Nagar, Hyderabad. Learned senior counsel would further submit that the petitioners' representation dated 25.02.2026 is still pending for consideration and pray this Court to direct the respondent No.3 to consider the petitioners' representation dated 25.02.2026 and pass orders in a time bound period.

Learned standing counsel for respondent No.3 would submit that the representation dated 25.02.2026 was not served on respondent No.3, however, would submit that since the petitioners' representation dated 25.02.2026 is annexed in the writ affidavit, the respondent No.3 would receive the same and after examining would pass appropriate orders.

In that view of the matter, the respondent No.3 is directed to consider the petitioners' representation dated 25.02.2026 and in the light of the orders passed by the trial Court in O.S.No.136 of 2005 dated 05.11.2012 and common order passed by the Hon'ble Division Bench of this Court in W.P.(PIL) No.74 of 2016 and W.P.No.17053 of 2016, and shall pass appropriate orders in accordance with law and file report by the next date of hearing.

List on 11.06.2026, for report.

Sd/- P.C.SULEKHA DEVI
ASSISTANT REGISTRAR

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//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department. Secretariat Buildings, Secretariat, State of Telangana, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund Hyderabad, Telangana State.
3. The Commissioner, Hyderabad Disaster Response and Asset Monitoring and Protection Agency (HYDRA), 6th and 7th floor, Buddha Bhavan. Tank Bund Rd., Hyderabad, Telangana.
(Addressees 1 to 3 BY SPAD along with a copy of petition and affidavit)
4. One CC to SRI PRAMOD MALIGI Advocate [OPUC]
5. Two CCs to GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, High Court for the State of Telangana, at Hyderabad [OUT]
6. One spare copy

HIGH COURT

NVSK, J

DATED: 23-04-2026

LIST ON 11.06.2026, FOR REPORT.

NOTICE BEFORE ADMISSION

WP.No.12863 of 2026

DIRECTION

