

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
THURSDAY, THE ELEVENTH DAY OF JUNE
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, Age about 68 Yrs., Occ Business R/o H.No. 1-5-6/33, 1st Floor, Sri Krishna Colony, Musheerabad, Hyderabad.
2. Anand Kumar Agarwal, S/o Hari Kisan Agarwal, Aged about 65 Yrs., Occ Business, R/o H.No.1-5-6/33, 1st floor, Sri Krishna Colony, Musheerabad, Hyderabad.
3. Atul Kumar Agarwal, S/o Hari Kisan Agarwal, Aged about 59 Yrs., Occ Advocate R/o H.No.1-5-6/33, 1st floor, Sri Krishna Colony, Musheerabad, Hyderabad.

.....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 Bunt 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

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.

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 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 petition coming on for hearing, upon perusing the petition and the grounds filed in support thereof and upon hearing the arguments of SRI Pramod Maligi Advocate for the Petitioners, Gp For Mcpl Admn Urban Dev for the Respondents, and the Court made the following.

ORDER

Respondent No.3 has passed an order dated 10.06.2026, a copy of which has been placed before this Court. In the said order, while referring to the judgment and decree in O.S.No.136 of 2005 dated 05.11.2012 and the common order passed by the Division Bench of this Court in W.P.(PIL) No.74 of 2016 and W.P.No.17053 of 2016 and after extracting the operative portion thereof, it is stated that the petitioners are claiming title and possession over land in Survey No.102/3, whereas the signboard was erected in Survey No.102/2. It is further stated that Survey No.102/2 is an evacuee property and that the Government is duty-bound to protect the same. The said parcel of land admeasuring 1537.5 square yards is also included in the Government Land Bank bearing ID No.01020012, which is a vacant land. It is also stated that GHMC has planted trees therein under the Harithaharam Program to make it a park and that electrical transformers have been installed in the said premises. It is further stated that the open space in the APHB layout has been protected by fencing around it and a signboard has been erected in Survey No. 102/2 (but not in Survey No. 102/3 which is the petitioners' land). It is further clarified that Survey No. 102/2, being Government land, is in the custody of the GHMC and that the petitioners' land is in Survey No.102/3 and that Survey Nos.102/2 and 102/3 are separated by a road.

Learned Standing Counsel appearing for GHMC-respondent No.2 seeks time to ascertain instructions as to whether any officer of the GHMC has assisted respondent No.3 in identifying and locating the subject property.

In that view of the matter, respondent no. 2, through its officers, is directed to verify the actual location and boundaries of Survey No. 102/3 claimed by the petitioners and assist respondent No.3 in filing a counter to that extent, particularly in the light of the orders passed in O.S.No.136 of 2005, W.P.(PIL).No.74 of 2016 and W.P.No.17053 of 2016.

As a final indulgence, two (02) weeks' time is granted to file the counter.

For counter, list this matter on 25.06.2026.

Sd/- T.SRINIVASA REDDY
ASSISTANT REGISTRAR

//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 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.[RR 1 TO 3 By SPAD]
4. One CC to Sri. PRAMOD MALIGI Advocate [OPUC]
5. Two CCs to GP FOR MCPL ADMN URBAN DEV, High Court for the State of Telangana, at Hyderabad [OUT]
6. One spare copy

HIGH COURT

NVSK, J

DATED: 11-06-2026

List on 25.06.2026



ORDER

WP.No.12863 of 2026

DIRECTION