

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

WEDNESDAY, THE TENTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WP NO: 13952 OF 2026

Between:

1. Mohammed Irfan, S/o. Mohammed Shakeel.
2. Mohammed Amer, S/o. Mohammedvbd Ahmed.
3. Jareena Begum, W/o. Mohammed Shakeel.

.....PETITIONERS

AND

1. The State of Telangana, Rep. by its Principal Secretary Municipal Administration and Urban Development Department, Secretariat Building, Hyderabad.
2. The Hyderabad Disaster Response and Asset Protection Agency HYDRAA, Rep. by its Commissioner 7th Floor Budha Bhavan, Ranigunj, Hyderabad.
3. The Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, GHMC Bhawan, Lower Tank Bund, Hyderabad.
4. The Hyderabad Metropolitan Development Authority, 5th Floor, Swarna Jayanti Complex, Sanjivreddy Nagar Road, Ameerpet, Hyderabad - 500038, Rep. by its Managing Director and Commissioner.
5. The District Collector, Hyderabad District at Lakadikapool, Hyderabad.
6. The Tahsildar, Bandlaguda Mandal, Hyderabad District.
7. The Station House Officer, Falaknuma Police Station, Falaknuma, 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 a Writ or order more particularly one in the Nature of Writ of Mandamus declaring the action of Respondents in interfering with peaceful possession and enjoyment including the constructional activity carrying by the Petitioners in respect of Petitioners House Properties i.e. Bearing H.No.19-3-1089/C/49, One Plot No. 49 admeasuring 300 Sq yards in Sy.No. 266/1, Situated at Jahanuma, BiBi Ka Chesma, Falkanuma, Hyderabad belongs to the 2nd Petitioner and another and House bearing No. 19-3-1089/C/50/1 on Plot No. 50 admeasuring 300 Sq. yards Situated at Jahanuma, BiBi Ka Chesma, Falkanuma, GHMC Circle No.XXII

Presently, Previously Circle X, Hyderabad belongs to Petitioners 1 and 3 that too without following due Process of Law and also contrary to the orders passed by this Hon'ble Court W.P. No. 42009 of 2022 and Batch dated. 5-12-2024 as illegal, Arbitrary, unjust and also against the Principles of Natural Justice and against Article 14,16,19,21 and 300A of Constitution of India.

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 direct the Respondents not to interfere with peaceful possession and enjoyment of the Petitioners over the Petitioners House Properties i.e. House Properties bearing H.No. 19-3-1089/C/49, One Plot No. 49 admeasuring 300 Sq yards in Sy.No. 266/1, Situated at Jahanuma, BiBi Ka Chesma, Falkanuma, Hyderabad belongs to the 2nd Petitioner and another and House bearing No. 19-3-1089/C/50/1 on Plot No. 50 admeasuring 300 Sq. yards Situated at Jahanuma, Bibi Ka Chesma, Falkanuma, Hyderabad belongs to Petitioners 1 and 3 including Constructional Activity forthwith, pending disposal of WP No 13952 of 2026, 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 upon hearing the arguments of SRI AMARAGANI MALSOOR GOUD Advocate for the Petitioners, GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT for the Respondent no.1, SRI SAMEER AHMED Standing Counsel for the Respondent no.2, SRI R. VENKATESH, Standing Counsel for the Respondent no.3, SRI V. NARSIMHA, Standing Counsel for the Respondent no.4, AGP FOR REVENUE for the Respondents no. 5 and 6 and GP FOR HOME for the Respondent no.7, the Court made the following.

ORDER:

This writ petition is filed seeking following relief:

“...to issue a Writ or order more particularly one in the Nature of Writ of Mandamus declaring the action of Respondents in interfering with peaceful possession and enjoyment including the constructional activity carrying by the petitioners in respect of petitioners House Properties i.e., Bearing H.No.19-3-1089/C/49, One Plot No.49 admeasuring 300 square yards in Sy.No.266/1, situated at Jahanuma, Bibi Ka Chesma, Falkanuma, Hyderabad belongs to 2nd petitioner and another house bearing No.1089/C/501 on Plot No.50 admeasuring 300 square yards situated at Jahanuma, Bibi Ka Chesma, Falkanuma, GHMC Circle No.XXII, presently, previously Circle-X, Hyderabad belongs to petitioner Nos.1 and 3 (hereinafter referred as ‘subject property’) that too without following due process of law and also contrary to the orders passed by this Court in W.P.No.42009 of 2022 and Batch dated 05.12.2024 as illegal, arbitrary, unjust and also against the Principles of

Natural Justice and against the Article 14, 16, 19, 21 and 300-A of Constitution of India...”

Learned Assistant Government Pleader appearing for Revenue submits that a co-ordinate bench of this Court passed a common order in W.P.Nos.42009 of 2022, 42078 of 2022 and 26788 of 2023 directing the parties to maintain *status quo* obtaining as on today in all respects. The relevant portion is extracted for reference:

“To give a quietus to the litigation, whether the petitioners are in possession of the subject land as claimed in the writ petitions by virtue of the registered gift deeds or they are making efforts to encroach the adjacent Government land, this Court is of the opinion that the ends of justice would be met if the HMDA and Revenue Authorities are directed to conduct a joint inspection/survey over the subject lands claimed by the petitioners and if the subject lands claimed by the petitioners are not forming part of the Government land, the respondents are directed not to interfere with the possession of the petitioners over the subject land and if any part of the land is forming part of the Government land or the land allotted to HMDA, the Revenue Authorities are directed to take appropriate steps in accordance with law. Till such joint inspection is conducted, the parties to the writ petitions are directed to maintain *status quo* obtaining as on today in all respects. The HMDA and Revenue Authorities shall give notice to the addresses mentioned in the cause title of the writ petitions and after service being affected on the petitioners, the respondents shall proceed in conducting joint survey/inspection.”

Learned counsel for the petitioner submits that though there is a common order passed by this Court, now the respondent No.2 is trying to interfere in the subject property.

Per contra learned standing counsel appearing for respondent No.2 would submit that the Hyderabad Disaster Response and Asset Protection Agency (for short ‘HYDRAA’) is not interfering with the subject property and the pleadings made in the affidavit to that effect.

Learned standing counsel appearing for the Hyderabad Metropolitan Development Authority (for short ‘HMDA’) would submit that the subject land is a Government Land and construction activity is being proposed.

On a perusal of the orders passed in W.P.No.42009 of 2022, 42078 of 2022 and 26788 of 2023, learned Single Judge has clarified that to meet the ends of justice, the HMDA and Revenue Authorities shall conduct joint inspection/survey over the subject lands claimed by the petitioners and if they are not forming part of the Government land, the respondents are directed not to interfere with the possession over the subject lands.

Learned standing counsel appearing for HMDA submits that panchanama was conducted on the subject land way back in the year 2005 itself.

In view of the discrepancies in the contentions putforth by learned counsel on either side, the matter requires detailed examination.

Let a counter be filed.

Since in the common order dated 05.12.2024, directions were given to both the parties to maintain status quo obtaining as on that day on the subject property in all respects, it is made clear that the petitioners shall not make any physical changes/structures on the subject property.

Post on 08.07.2026 for counter.

Sd/- S.MALLIKARJUNA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary Municipal Administration and Urban Development Department, Secretariat Building, State of Telangana, Hyderabad.
 2. The Commissioner, Hyderabad Disaster Response and Asset Protection Agency HYDRAA, 7th Floor Budha Bhavan, Ranigunj, Hyderabad.
 3. The Commissioner, Greater Hyderabad Municipal Corporation, GHMC Bhawan, Lower Tank Bund, Hyderabad.
 4. The Managing Director and Commissioner, Hyderabad Metropolitan Development Authority, 5th Floor, Swarna Jayanti Complex, Sanjivreddy Nagar Road, Ameerpet, Hyderabad - 500038,
 5. The District Collector, Hyderabad District at Lakadikapoc1, Hyderabad.
 6. The Tahsildar, Bandlaguda Mandal, Hyderabad District.
 7. The Station House Officer, Falaknuma Police Station, Falaknuma, Hyderabad.
- (Addressees 1 to 7 BY SPAD)
8. One CC to SRI AMARAGANI MALSOOR GOUD Advocate [OPUC]
 9. Two CCs to GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, High Court for the State of Telangana, at Hyderabad [OUT]
 10. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad [OUT]

11. Two CCs to GP FOR HOME, High Court for the State of Telangana, at Hyderabad [OUT]
12. One spare copy

HIGH COURT

NVSK, J

DATED: 10-06-2026

POST ON 08.07.2026 FOR COUNTER.



ORDER

WP.No.13952 of 2026

STATUS QUO