

IN THE HIGH COURT FOR THE STATE OF TELANGANA

**AT HYDERABAD
(Special Original Jurisdiction)**

**TUESDAY, THE FIFTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION NO: 14948 OF 2026

Between:

1. Smt. D. Swapna, W/o. Darshan, Age 44 years, Occ. Housewife, R/o. Flat No. 101 of Lake View Paradise Towers, H. No.13-12-16 and 17, Plot Nos.13 and 14, Sy. No.207, situated at Kodandaram Nagar, Gaddiannaram, Hyderabad - 500060.
2. Sri Shaik Adam Shafi, S/o. Babu Saheb, Age 57 years, Occ. Pvt. Service, R/o. Flat No. 103 of Lake View Paradise Towers, H. No.13-12-16 and 17, Plot Nos.13 and 14, Sy. No.207, situated at Kodandaram Nagar, Gaddiannaram, Hyderabad - 500060..
3. Smt. Usharani, D/o. Prabhakar Rao, Age 50 years, Occ. Housewife, R/o. Flat No. 201 of Lake View Paradise Towers, H. No.13-12-16 and 17, Plot Nos.13 and 14, Sy. No.207, situated at Kodandaram Nagar, Gaddiannaram, Hyderabad - 500060..
4. Smt. K. Sridevi, Raghavendra Rao, Age 60 years, Occ. Housewife, R/o. Flat No. 201 of Lake View Paradise Towers, H. No.13-12-16 and 17, Plot Nos.13 and 14, Sy. No.207, situated at Kodandaram Nagar, Gaddiannaram, Hyderabad - 500060..

...PETITIONERS

AND

1. The State of Telangana, Rep. by its Principal Secretary, Department of Municipal Administration and Urban Development, Secretariat Buildings, Saifabad, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad.
3. The Zonal Commissioner, L.B. Nagar Zone, Greater Hyderabad Municipal Corporation, Hyderabad.
4. The Deputy Commissioner, Circle - 12, Saroonagar, Greater Hyderabad Municipal Corporation, Hyderabad.

5. Sri G. Sai Varma, S/o. G. Srinivas, Age. 30 years, Occ. Pvt. Job, R/o. Flat No. 305 of Lake View Paradise Towers, H. No.13-12-16 and 17, Plot Nos.13 and 14, Sy. No.207, situated at Kodandaram Nagar, Gaddiannaram, 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 an appropriate writ, order or direction, more in the nature of Mandamus, declaring the Speaking Order vide File No.84/ No.84/ W32/UC/CIR/MMC/2026 dated 21.04.2026 and the Show Cause Notice No.84/W32/UC/CIR/MMC/2025 dated 15.04.2026 issued by the 4th respondent and threatening to demolish the construction made by the petitioners by closing the duct portion of the respective Flats of the petitioners i.e. Flat Nos.101 of the 1st petitioner, Flat Nos.103 of the 2nd petitioner, Flat Nos.201 of the 3rd petitioner, and Flat Nos.203 of the 4th petitioner, in the premises of Lake View Paradise Towers, H. No.13-12-16 and 17, Plot Nos.13 and 14, in Sy. No.207, situated at Kodandaram Nagar, Gaddiannaram, Hyderabad., as illegal, arbitrary and contrary to Article 14, 21 and 300-A of the Constitution of India and consequently set aside the Speaking Order vide File No.84/ W32/UC/CIR/MMC/2026 dated 21.04.2026 and the Show Cause Notice No.84/W32/UC/CIR/MMC/2025 dated 15.04.2026 issued by the 4th respondent and direct the 4th respondent not to demolish the construction made by the petitioners by closing the duct portion of the respective Flats of the petitioners i.e. Flat Nos.101 of the 1st petitioner, Flat Nos.103 of the 2nd petitioner, Flat Nos.201 of the 3rd petitioner, and Flat Nos.203 of the 4th petitioner, in the premises of Lake View Paradise Towers, H. No.13-12-16 and 17, Plot Nos.13 and 14, in Sy. No.207, situated at Kodandaram Nagar, Gaddiannaram, Hyderabad, in the interest of justice.

I.A. NO: 1 OF 2026

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 operation of the Speaking Order vide File No.84/W32/UC/CIR/MMC/2026 dated 21.04.2026 and the Show Cause Notice No.84/W32fUC/CIR/MMC/2025 dated 15.04.2026 issued by the 4th respondent, pending disposal of the main writ petition.

Counsel for the Petitioner: SRI. SANNIDHIRAJA MALLESWARA RAO

Counsel for the Respondent No.1: GP FOR MCPL ADMN URBAN DEV

**Counsel for the Respondent No.2 To 4: SRI SRINIVAS RAO PACHWA,
SC FOR GHMC**

Counsel for the Respondent No.5: -----

The Court made the following: ORDER

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

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION No.14948 of 2026
DATE OF ORDER: 05.05.2026

Between:

Smt. D.Swapna, W/o. Darshan & 3 others

...Petitioners

AND

**State of Telangana
Rep. by its Principal Secretary
Municipal Administration & Urban Development
Department,
Secretariat Buildings, Saifabad, Hyderabad & 4 others**

...Respondents

ORDER:

This writ petition is filed questioning the speaking order issued by respondent No.4 – Deputy Commissioner, Circle-12, Saroornagar, GHMC, Hyderabad *vide* File No.84/W32/UC/CIR/MMC/2026, dated 21.04.2026 and the show cause notice issued by respondent No.4 *vide* No.84/W32/UC/CIR/MMC/2026, dated 15.04.2026 and threatening to demolish the construction made by the petitioners by closing the duct portion of the respective flats of the petitioners situated at Kodandaram Nagar, Gaddiannaram, Hyderabad. A consequential

prayer is sought to set aside the aforesaid show cause notice and speaking order issued by respondent No.4 and further to direct respondent No.4 not to demolish the construction made by the petitioners by closing the duct portion of the respective flats of the petitioners.

2. The facts giving rise to filing of this writ petition are as follows:

The petitioner Nos.1 to 4 claim to be the absolute owners and possessors of Flat Nos.101, 103, 201 and 203 respectively in the premises of Lake View Paradise Towers, bearing H.No.13-12-16, Plot Nos.13 and 14 in Survey No.207 situated at Kodandaram Nagar, Gaddiannaram, Hyderabad. It is submitted that the petitioners made construction by closing the duct portion of their respective flats in order to protect from pigeon menace. Subsequently, the respondent No.4 has issued show cause notice dated 15.04.2026 and speaking orders dated 21.04.2026 to the petitioners with regard to the aforesaid construction stating that the petitioners made unauthorized construction by closing existing duct portion in deviation to sanctioned plan for the existing apartment by violating the HMC rules. Aggrieved by the show cause notice dated 15.04.2026 and speaking orders dated 21.04.2026 issued by respondent No.4, the present writ petition is filed.

3. Learned counsel for the petitioners submits that subsequent to the issuance of the speaking order dated 21.04.2026, the petitioners

submitted an explanation on 28.04.2026 stating that there are certain open spaces in the subject premises, resulting in flock of pigeons settling on the windows and lintels, making loud noise, laying droppings and falling feathers causing contamination of the subject premises and eventually is affecting the health of the petitioners. As such, the petitioners have closed the duct spaces, and submit that the said closure of the duct portion is not a violation of the provisions of GHMC and bye laws.

4. Learned counsel appearing for respondent Nos.2 to 4 would submit that though an opportunity was given to the petitioners, the petitioners did not give any explanation. As such, the speaking orders were issued.

5. After arguing at length, learned counsel for the petitioners submits that since a reply / explanation has been given on 28.04.2026 subsequent to the issuance of the speaking order, the respondent authorities may be directed to consider the same.

6. *Per contra*, learned counsel appearing for respondent Nos.2 to 4 would submit that as long as there is no deviation to the sanction plan and no structural alterations are made, the petitioners reply would be examined by respondent No.4.

7. Heard learned counsel for the petitioners and learned counsel representing Mr. Srinivasa Rao Pachwa, learned Standing Counsel for GHMC appearing for respondent Nos.2 to 4.

8. Recording the submissions of learned counsel appearing for either side, the speaking order dated 21.04.2026 issued by respondent No.4 is set aside and the matter is remanded back to respondent No.4 to examine the petitioners' explanation dated 28.04.2026 and make an on-spot inspection over the subject property of the petitioners to verify whether any unauthorized constructions are made on the subject property and thereafter take an appropriate action strictly in accordance with law.

9. With the above observations, this writ petition is disposed of. There shall be no order as to costs.

As a sequel thereto, miscellaneous applications if any pending in this petition, shall stand closed.

SD/-M. OSMAN ALI BAIG
ASSISTANT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To,

1. The Principal Secretary, Department of Municipal Administration and Urban Development, State of Telangana, Secretariat Buildings, Saifabad, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad.
3. The Zonal Commissioner, L.B. Nagar Zone, Greater Hyderabad Municipal Corporation, Hyderabad.
4. The Deputy Commissioner, Circle - 12, Saroornagar, Greater Hyderabad Municipal Corporation, Hyderabad.
5. One CC to SRI. SANNIDHIRAJA MALLESWARA RAO, Advocate [OPUC]
6. Two CCs to GP FOR MCPL ADMN URBAN DEV, High Court for the State of Telangana, at Hyderabad [OUT]
8. One CC to SRI SRINIVAS RAO PACHWA, SC FOR GHMC [OPUC]
9. Two CD Copies

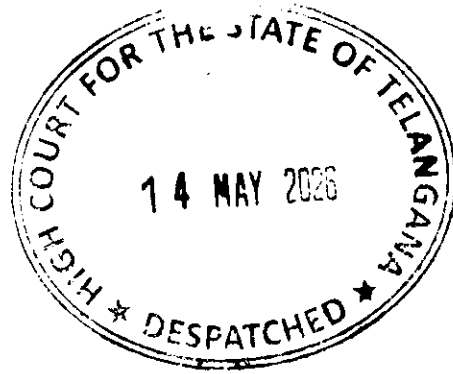
DAN

HIGH COURT

DATED: 05/05/2026

ORDER

WP.No.14948 of 2026



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

(12) NT
14/5/26