

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

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

:PRESENT:
THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR
WP NO: 15165 OF 2026

Between

1. Mr. Mirza Aziz Baig, S/o Mirza Ismail Baig, aged about 34 years, Occ. Business, R/o 20-4-231/A, Motigalli, Khilwath, Hyderabad.
2. Mr. Mirza Mustafa Ali Baig, S/o Mirza Ismail Baig, aged about 35 years, Occ. Business, R/o 20-4-231/A, Motigalli, Khilwath, Hyderabad.
3. Mr. Mirza Mohammed Baig, S/o Mirza Ismail Baig, aged about 34 years, Occ. Business, R/o 20-4-231/A, Motigalli, Khilwath, Hyderabad.

.....PETITIONERS

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Government of Telangana, Dr. BR Ambedkar Telangana State Secretariat Building Complex, Third Floor, Hyderabad
2. Greater Hyderabad Municipal Corporation, Represented by its Commissioner, GHMC Head Office, 1st Floor, Tank Bund Road, Lower Tank Bund, Hyderabad-500 063 (TG)
3. Greater Hyderabad Municipal Corporation, Represented by its Deputy Commissioner, Circle No.9, Charminar, Hyderabad
4. Greater Hyderabad Municipal Corporation, Represented by its Assistant Commissioner, Circle No.9, Charminar, Hyderabad
5. Mr. Aleemuddin Ali Khan, S/o Late Rafiuddin Ali Khan, aged about 50 years, Occ. Business, R/o H.No.19-4-279/E/1, Nawab Sahab Kunta, Charminar, Falaknuma, Hyderabad (TG)
6. Mr. Mir Baseer Uddin, S/o Late Mir Rafi Uddin, aged about 48 years, Occ Business, R/o H.No.20-4-231/A/1, Khilwath, Charminar, Hyderabad, (TG)
7. Mr. Mir Sameeruddin Ali Khan, S/o Late Mir Rafiuddin Ali Khan, aged about 46 years, Occ. Business, R/o H.No.20-4-231/A/1, Khilwath, Charminar, Hyderabad, TG

8. M/s. R.K. Aziz Plaza, a partnership firm Rep. by its Managing Partner Mr. Syed Abdu Wasey Office at H.No.8-1-351/3/4/1-4, Adams Colony, Tolichowki, Hyderabad, TG

.....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 of Mandamus by declaring the inaction on the part of the respondent no.1 to 4 in not disposing off the notice dated 9.4.2026 issued by the petitioners, by not demolishing the un-authorized construction carried by respondent no.5 to 8 in terms of the order passed by the respondent no.2 to 4 vide GHMC Letter No.231/4/20/ACP/TPS/C9/CHZ/GHMC/2025 dated 2.3.2026 in premises No.20-4-231/A1 having its old house No.20-4-231/1 and 20-4-231/A2 admeasuring 600 sq yards or 501.6 sq meters situated at Motigalli, Khilwat Mubarak, Hyderabad contrary to the municipal permission, as illegal, unlawful, unreasonable, being contrary and amounting to misuse of powers and discretion vested in the authority not exercising all powers under Section 451, 452, and 461-A as amended by Act 11 of 2017 dated 27.1.2017 of GHMC thereby violating the statutory and constitutional right of the Petitioners depriving their rights as contained in Article 300-A of the Constitution of India thereby being discriminatory of the Constitution of India with a further direction to demolish the illegal and unauthorized construction by pulling down construction made in premises bearing GHMC No.20-4- 231/A1 (old No. 20-4-231/1 and 20-4-231/A2) admeasuring 600 sq yards or 501.6 sq meters situated at Motigalli, Khilwat Mubarak, Hyderabad 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 direct the respondent No. 2 to 4 to demolish the illegal unauthorized construction made by respondents Nos. 5 to 8 in the Cellar and also remove the columns and the standing construction in premises No.20-4-231/A1 in the Old house No.20-4-231/1 and 20-4-231/A2, admeasuring 600 Sq. Yards or 501.6 Sq. Meters, situated at Motigalli, Khilwat Mubarak, Hyderabad, in the interest of justice.. Pending disposal of WP No 15165 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 M/s R A Achuthanand Advocate for the Petitioners, Gp For Mcpl Admn Urban Dev for the Respondent No.1, and the Court made the following.

ORDER

Learned counsel for the petitioner is permitted to take out personal notice on respondent Nos.5 to 8 and file proof of the same.

The representation/legal notice of the petitioner dated 09.04.2026, pending before respondent Nos.3 and 4 shall be examined.

List on 15.06.2026.

Sd/- M.OSMAN ALI BAIG
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, Government of Telangana, Dr. BR Ambedkar Telangana State Secretariat Building Complex, Third Floor, State of Telangana, Hyderabad
2. The Commissioner, Greater Hyderabad Municipal Corporation, GHMC Head Office, 1st Floor, Tank Bund Road, Lower Tank Bund, Hyderabad-500 063 (TG)
3. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Circle No.9, Charminar, Hyderabad
4. The Assistant Commissioner, Greater Hyderabad Municipal Corporation, Circle No.9, Charminar, Hyderabad
5. Mr. Aleemuddin Ali Khan, S/o Late Rafiuddin Ali Khan, aged about 50 years, Occ. Business, R/o H.No.19-4-279/E/1, Nawab Sahab Kunta, Charminar, Falaknuma, Hyderabad (TG)
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8. The Managing Partner Mr. Syed Abdul Wasey M/s. R.K. Aziz Plaza, a partnership firm Office at H.No.8-1-351/3/4/1-4, Adams Colony, Tolichowki, Hyderabad, TG [RR 1 to 8 By SPAD]
9. One CC to M/S. R A ACHUTHANAND Advocate [OPUC]
10. Two CCs to GP FOR MCPL ADMN URBAN DEV, High Court for the State of Telangana, at Hyderabad [OUT]
11. One spare copy

HIGH COURT

NVSK, J

DATED: 05-05-2026

List on 15.06.2026

ORDER

WP.No.15165 of 2026

DIRECTION

