

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
WEDNESDAY, THE FIFTEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY
WRIT PETITION NO: 18532 OF 2025

Between:

Mukesh Agarwal, S/o. V. P. Agarwal Age.46 years, Occ.Business,
R/o.H.No.16-1-552/2/2, Saidabad, Hyderabad, 500059.

Petitioner

AND

1. State of Telangana, Rep. by Principal Secretary Department of Municipal Administration and Urban Development Secretariat, Hyderabad.
2. The Commissioner GHMC, GHMC Complex, Municipal Building, Tank Bund, Hyderabad.
3. Deputy Commissioner, Circle VI, GHMC, Hyderabad.
4. Assistant City Planner, Circle VI Charminar Zone, GHMC, Hyderabad.
5. Zonal Commissioner, Circle VI, Charminar Zone, GHMC, Hyderabad.
6. Om Prakash Agarwal, S/o. Sri. Bansidhar Aged about 60 years Occ. Business R/o. 16-1-553/4, Saidabad Colony, Hyderabad.
7. Pankaj Agarwal, S/o. Sri Manohar Lal Agarwal, Aged about 45 years, Occ. Business, R/o. 16-1-553/2/1, Saidabad, Hyderabad, 500059.

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 order or orders or direction, more particularly one in nature of Writ of Mandamus to declare the inaction of the respondent Nos. 2 to 5 with respect to the illegal and unauthorized construction made by the 6th and 7th Respondents in pursuant to the building permission dated 07.04.2021 in Permit No. 3/C6/05229/2021, as illegal, arbitrary and unreasonable and to issue a consequential direction to the respondent Nos. 2 to 5 to take action on the representation made by the petitioner dated 26.05.2025 regarding the illegal construction made by the respondent Nos. 6 and 7 pursuant to the building permission dated 07.04.2021 in Permit No. 3/C6/05229/2021 wherein they were permitted to construct Stilt 2 floors but they have constructed additional 3rd floor and pent house and demolish the same.

IA NO: 1 OF 2025

Petition under Section 151 CPC 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 respondent Nos. 2 to 5 to take action on the representation made by the petitioner dated 26.05.2025 regarding the illegal construction made by the respondent Nos. 6 and 7 pursuant to the building permission dated 07.04.2021 in Permit No. 3/C6/05229/2021 wherein they were permitted to construct Stilt + 2 floors but they constructed additional 3rd floor and pent house and demolish the same, pending disposal of WP 18532 of 2025, 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 VEDULA CHITRALEKHA Advocate for the Petitioner, GP FOR MCPL ADMN & URBAN DEV for the Respondent No.1 and SRI RAPARTHI VENKATESH, Standing Counsel for respondent Nos. 2 to 5, the Court made the following.

ORDER

Learned counsel for the petitioner submitted that the notice taken out to respondents No.6 and 7 has been returned unserved as 'unclaimed'.

There shall be interim direction to the respondents No.3 and 4 to seal the unauthorized third floor + pent house constructed by the respondents No.6 and 7 in the subject property within a period of one week from the date of receipt of a copy of this order.

List on 12.11.2025.

**SD/-N.CHANDRA SHEKAR RAO
DEPUTY REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, State of Telangana, Department of Municipal Administration and Urban Development Secretariat, Hyderabad.
2. The Commissioner GHMC, GHMC Complex, Municipal Building, Tank Bund, Hyderabad.
3. Deputy Commissioner, Circle VI, GHMC, Hyderabad.
4. Assistant City Planner, Circle VI Charminar Zone, GHMC, Hyderabad.
5. Zonal Commissioner, Circle VI, Charminar Zone, GHMC, Hyderabad.
6. Om Prakash Agarwal, S/o. Sri. Bansidhar, Occ. Business R/o. 16-1-553/4, Saidabad Colony, Hyderabad.
7. Pankaj Agarwal, S/o. Sri Manohar Lal Agarwal, Occ. Business, R/o. 16-1-553/2/1, Saidabad, Hyderabad, 500059. (RR 1 to 7 by RPAD)
8. One CC to SRI. VEDULA CHITRALEKHA Advocate [OPUC]
9. Two CCs to GP FOR MCPL ADMN & URBAN DEV, High Court at Hyderabad. [OUT]
10. One spare copy

HIGH COURT

BVRJ

DATED:15/10/2025

LIST ON 12.11.2025

ORDER

WP.No.18532 of 2025

DIRECTION

