

[3183]

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
FRIDAY, THE TWENTY FIFTH DAY OF JULY
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY
WRIT PETITION NO: 21475 OF 2025

Between:

G. Satyanarayana, S/o. Laxmaiah, Aged about 62 years, Occ. Retd Employee
R/o. H. no. 8-1-106/3, Shaikpet, Hyderabad, T.S.

Petitioner

AND

1. The State of Telangana, Rep.by its Principal Secretary, MAUD, Secretariat, Telangana State.
2. The Greater Hyderabad Municipal Corporation, Rep by its commissioner, Tank bund, Hyderabad.
3. The Greater Hyderabad Municipal Corporation, Rep by the Deputy Commissioner, Circle No-21, SLPZ, Chandanagar, 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 pass an order or orders one in the nature of WRIT OF CERTIORARI to quash the Impugned Proceedings NO. 1448/TPS/HO/GHMC/2025, dated, 02-04-2025 by calling the entire records in respect of the petitioners property i.e., House No. 8-116 in Plot no. 116, situated at Allwyn Colony in Sy no. 69 of Miyapur Village, Serilingampally Mandal, R. R. District., consisting of stilt plus 2 upper floors and 3rd and 4th floor plus pent. Consequently, direct the respondents to remove the seal over petitioners property bearing House No. 8-116 in Plot no. 116, situated at Allwyn Colony in sy no. 69 of Miyapur Village, Serilingampally Mandal, consisting of stilt plus 2 upper floors and 3rd and 4th floor plus pent house, which has been seized illegally without following the due process of law without issuing notice to the petitioner on dt, 30-12-2024, and declare the action of respondents as totally illegal and violates the principles of natural justice and against the provisions of GHMC Act, 1955, and also violation of Article 300-A of Constitution of India;

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 respondents to remove the seal over petitioners property bearing House No. 8-116 in Plot no. 116, situated at Allwyn Colony in sy no. 69 of Miyapur Village, Serilingampally Mandal, consisting of stilt + 2 upper floors and 3rd and 4th floor + pent house, which has been seized illegally without following the due process of law

without issuing notice to the petitioner on dt, 30-12-2024 by reconsidering the representation of the petitioner dated, 10-12-2024, pending disposal of WP 21475 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 SURESH SHIV SAGAR Advocate for the Petitioner, GP FOR MCPL ADMN & URBAN DEV Advocate for the Respondent No.1 and SRI R. VENKATESH, Counsel for respondent Nos. 2 and 3, the Court made the following.

ORDER

Learned counsel for the petitioner submitted that building permission vide permit No.246921/0037/ GHMC/2023 dated 03.01.2025 was granted to the petitioner for construction of Stilt for parking + 2 upper floors in Plot No.116, H.No.8-116, in Survey No.69, Miyapur Village, Chanda Nagar, Circle-21, Serilingampally Mandal, Ranga Reddy District. As against the said building permission, the petitioner constructed Stilt for parking + 5 upper floors in the subject property. It is submitted that notice under Section 461-A of the Greater Hyderabad Municipalities Act, 1955 dated 30.12.2024 was issued directing the petitioner to vacate the subject property so as to enable the respondent authorities to seal the unauthorized construction in the subject property. Later, speaking order dated 02.01.2025 was passed sealing the entire subject property.

Learned counsel for the petitioner submitted that the petitioner is a senior citizen and he intends to occupy the subject property for the purpose of his residence. Learned counsel requested that the sealing may be removed to the extent of the Stilt + 2 upper floors which have been constructed in accordance with the sanctioned plan.

Learned Standing Counsel submitted that even in the Stilt + 2 upper floors, there are setback deviations beyond 10% of permissible limits. The said submission is rebutted by the learned counsel for the petitioner.

In the circumstances, the petitioner is directed to submit report from the licenced architect/engineer pointing out setback deviations in the Stilt + 2 upper floors in the subject property by the next date of hearing.

In case, if it is found that the deviations are within 10% permissible limits, the petitioner is given liberty to approach this Court seeking modification of this order.

Post on 01.08.2025 in Motion List.

//TRUE COPY//

SD/- A. JAYASREE
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, State of Telangana, MAUD, Secretariat, Telangana State.
2. The Commissioner, Greater Hyderabad Municipal Corporation, Tank bund, Hyderabad.
3. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Circle No-21, SLPZ, Chandanagar, Hyderabad. (RR 1 to 3 by RPAD)
4. One CC to SRI. SURESH SHIV SAGAR Advocate [OPUC]
5. Two CCs to GP FOR MCPL ADMN & URBAN DEV ,High Court at Hyderabad. [OUT]
6. One spare copy



HIGH COURT

BVRJ

DATED:25/07/2025

POST ON 01.08.2025 IN MOTION LIST

ORDER

WP.No.21475 of 2025

DIRECTION

