

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

**WEDNESDAY, THE TWENTIETH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 24516 OF 2025

Between:

Tella Koteswar Reddy, S/o. Tella Bal Reddy, Aged about 47 years, Occ.
Business, Rto..H.No. 30-265/1, RKII Colony, Near Astalakshmi Temple,
Sainikpuri, Malkajgiri, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principle Secretary, MA and UD,
Secretariat, Hyderabad
2. The Greater Hyderabad Municipal Coration, Rep. by its Commissioner, Tank
Bund, GHMC, Hyderabad. .
3. The Greater Hyderabad Municipal Corporation, Rep. by its Dy. Commissioner,
Kapra Circle-1, GliMC, 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 Writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS by declaring the action of the Respondents in interfering in the construction of the petitioner at Plot No. 226, H.No.1-1-248/1 1, Srinivas Nagar Colony, Kapra, Malkajgiri is illegal, arbitrary and violative of the principles of justice and consequently direct the respondents not to interfere in the construction activity of the petitioner without following the procedure, without notice and objections and orders may be passed accordingly in the interest of justice.

IA NO: 1 OF 2025

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 direct respondents not to interfere in the petitioner construction activity without Following due process at Plot No. 226, .No.1-1-248/11; Srinivas Nagar Colony, Kapra, Malkajgiri, pending disposal of the writ petition and orders may be passed Accordingly in the interest of justice.

Counsel for the Petitioner : SRI PASHAM KRISHNA REDDY

Counsel for the Respondents :SRI SRINIVAS RAO PACHWA, SC FOR GHMC

The Court made the following: ORDER

HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.24516 OF 2025

ORDER : (ORAL)

As per the written instructions of the learned standing counsel for the GHMC, vendors of the petitioner Mrs. Mittapalli Sumalatha and another obtained building permission for construction of stilt + two (2) upper floors vide Permit No.47888/10875/GHMC/2025 dated 05.02.2025 in the house property bearing No.1-1-248/11, Part of Plot No.226 in Survey Nos.470, 471 and 472, admeasuring 133 square yards, situated at Srinivas Nagar Colony, Kapra, Malkajgiri. Having purchased the subject property, the petitioner commenced construction of the subject building, however, by deviating the sanctioned plan without leaving all-round mandatory set backs. The petitioner not only made unauthorised construction in the subject property but also constructed pent house over the stilt + two upper floors, as such, appropriate action will be taken by the GHMC against the petitioner by following the due process of law under the provisions of the GHMC Act 1955.

2. Grievance of the petitioner is that there is interference by the respondents' authorities in the construction activity in the subject building without following due process of law.

3. Learned counsel for the petitioner submitted that the extension made in the third floor is not a pent house but it is a headroom of staircase.

4. In the circumstances, the respondents' authorities are directed not to interfere with the construction activity of the petitioner in respect of the subject building without following due process of law.

5. With the above directions and observations, the writ petition is disposed of, at the admission stage itself. No order as to costs.

As a sequel thereto, miscellaneous applications, if any, pending in the writ petition stand closed.

//TRUE COPY//

SD/- K.MADHAVI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, MA and UD, Secretariat, State of Telangana, Hyderabad
2. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund, GHMC, Hyderabad.
3. The Dy. Commissioner, Greater Hyderabad Municipal Corporation, Kapra Circle-1, GHMC, Hyderabad
4. One CC to SRI PASHAM KRISHNA REDDY, Advocate. [OPUC]
5. One CC to SRI SRINIVAS PACHWA, SC FOR GHMC. [OPUC]
6. Two CD Copies.

BSK

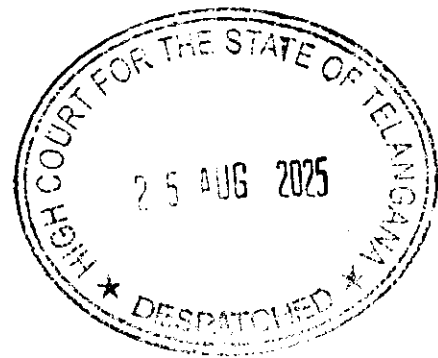
PSK



CC TODAY

HIGH COURT

DATED:20/08/2025



ORDER

WP.No.24516 of 2025

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

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[Signature]
25/8/2025