



2025:TSHC:52581
[3183]

IN THE 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: 24585 OF 2025

Between:

Chandra Prakash Modani, S/o Satyanarayan Modani, Aged about 68 Years,
Occ: Business, R/o. 6-15-45, Garbabadi Road, Opposite, Central Ware
House, Nizamabad, Telangana State

...PETITIONER

AND

1. The State of Telangana, Rep by its Principal Secretary, Municipal Administration & Urban Development Department, Government of Telangana, Secretariat at Hyderabad.
2. The Nizamabad Municipal Corporation, Represented by its Commissioner, Nizamabad District, Telangana State.
3. The Enforcement Team, Rep by the Tahsildar, Nizamabad North, Nizamabad, T.S. 'MARWADI PANCHAYAT TRUST', Nizamabad, D.No.6-15-47, Municipal Assessment No.1046013436, presently Akshardham School, Nizamabad. Telangana State.

...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, direction or order more particularly in the nature of Writ of Mandamus to declaring the action of the Respondents in not considering petitioner complaints on various dates viz., Dated 15/07/2025 and Dated 08/08/2025 against illegal and unauthorized construction that is going on land bearing Mpl. No.6-15-47, Gurbabadi Road, Dubba, Nizamabad, Telangana State, as being illegal, arbitrary and violative of Arts. 14, 21 & 300(A) of the Constitution of India and as also the provisions of GHMC Act 1955.



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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 the Respondent Nos 1 to 3 to take immediate steps to stop the illegal and unauthorized construction on land bearing Mpl. No.6-15-47, Gurbabadi Road, Dubba, Nizamabad, Telangana State.

Counsel for the Petitioner: SRI. VIJAY ASHRIT

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

**Counsel for the Respondent No. 2: MR. V. SATYAM REDDY (SC FOR
MUNICIPAL CORPORATION)**

Counsel for the Respondent No. 3: GP FOR REVENUE

The Court made the following: ORDER



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HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.24585 OF 2025

ORDER : (ORAL)

This writ petition is filed by the petitioner seeking to declare the action of the respondent authorities in not considering his complaints dated 15.07.2025 and 08.08.2025 with regard to the illegal and unauthorized construction in respect of the property bearing Municipal No.6-15-47, Gurbabadi Road, Dubba, Nizamabad, as being illegal, arbitrary and unconstitutional.

2. Heard Mr. Vijay Ashrit, learned counsel for the petitioner; Mr. V.Satyam Reddy, learned Standing Counsel for respondent No.2 Municipal Corporation; and perused the material on record.

3. Learned Standing Counsel for respondent No.2 Municipal Corporation submitted that on receipt of the representations/complaints of the petitioner, inspection of the subject premises was conducted and it was observed that the building in the subject premises comprises of ground + 1 upper floor belong to Marwadi Panchayat Committee. Respondent No.2 had been collecting property tax for the subject premises since 2004 and the building presently is being utilized for the

purpose of running a school. It is was noticed that the brick walls of the structure in the subject premises had been constructed up to the lintel level on a portion of the building. The occupier was informed not to proceed with any further construction without obtaining any prior permission. As on the date of inspection, no construction work was found to be in progress at the subject premises. Learned Standing Counsel submitted that if any complaint with regard to the further construction is received, appropriate action will be taken in accordance with law.

4. In view of the submission made by the learned Standing Counsel for respondent No.2 Municipal Corporation that no construction work was noticed in the subject premises, no further orders are required to be passed. Accordingly, 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 writ petition stand closed.

SD/-A. SRINIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration & Urban Development Department, Government of Telangana, State of Telangana, Secretariat at Hyderabad.



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2. The Commissioner, Nizamabad Municipal Corporation, Nizamabad District, Telangana State.
3. The Tahsildar, Enforcement Team, Nizamabad North, Nizamabad, T.S. 'MARWADI PANCHAYAT TRUST', Nizamabad, D.No.6-15-47, Municipal Assessment No.1046013436, presently Akshardham School, Nizamabad. Telangana State.
4. One CC to SRI. VIJAY ASHRIT, Advocate [OPUC]
5. Two CCs to GP FOR MCPL ADMN URBAN DEV, High Court for the State of Telangana. [OUT]
6. One CC to SRI. V. SATYAM REDDY, Advocate [OPUC]
7. Two CCs to GP FOR REVENUE, High Court for the State of Telangana. [OUT]
8. Two CD Copies

MMT
BS



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HIGH COURT

DATED:20/08/2025

ORDER

WP.No.24585 of 2025



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

(12) MT
17/1/26