

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

**WEDNESDAY, THE TWENTY EIGHTH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE SUDDALA CHALAPATHI RAO

WRIT PETITION NO: 8491 OF 2016

Between:

Syed khaleel Uddin , S/o. Syed Rafi Uddin, Age. 25 years, Occ. private works,
R/o. D. No. 2-5-763, Badimasjid, Subedari, Warangal District

...PETITIONER

AND

1. The Greater Warangal municipal Corporation, by its Commissioner Warangal District, at Warangal .
2. The construction Comitee of Masjid- E- Kalan, Aiwan -E-Sahai , rep by its president Syed Mumtaz Ali, S/o. Syed Wajid Ali, Hanmakonda, Warangal District
3. The state Wakf Board, rep by its Chief Executive Officer, Hajj Hosue Nampaly Hyderabad.
4. The Inspector Auditor Wakf Board, Warangal District, at Warangal .

...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 issued a writ , order or direction , more particularly one in the nature of Writ of Mandamus , declaring the inaction of the respondent No.1 to allowing the illegal construction making by the 2nd respondent in Masjid- E- Kalan, Aiwan -E-Sahai warangal without any permission is illegal improper violation of the exsting rules and Law and consequently direct the 1st respondent to stop the illegal construction of the 2nd respondent and take action as per the intimation letter Dated. 6-12-2015 of the 1st respondent in Masjid- E- Kaian, Aiwan -E-Sahai warangal town.

I.A. NO: 1 OF 2016(WPMP. NO: 10754 OF 2016)

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 1st respondent to stop the illegal construction of the 2nd respondent and take action as per the intimation letter Dated. 6-12-2015 of the 1st respondent in Masjid-E- Kalan, Aiwan -E-Sahai warangal town.

Counsel for the Petitioner: SRI G.L NARASIMHA RAO

Counsel for the Respondent No.1: SRI PASHAM MOHIT, SC FOR GWMC

Counsel for the Respondent Nos.3&4: SRI SAMEER AHMED, SC FOR TSWB

Counsel for the Respondent No.2: - - -

The Court made the following: ORDER

**THE HIGH COURT FOR THE STATE OF TELANGANA AT
HYDERABAD**

THE HONOURABLE SRI JUSTICE SUDDALA CHALAPATHI RAO

WRIT PETITION No.8491 of 2016

28th JANUARY, 2026

Between:

Syed Khaleel Uddin

...Petitioner

and

The Greater Warangal Municipal Corporation,
rep. by its Commissioner,
Warangal District, Warangal and others

...Respondents

ORDER

The present Writ Petition is filed seeking the following relief/s:

"....to issued a writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the inaction of the respondent No.1 to allowing the illegal construction making by the 2nd respondent in Masjid- E-Kalan, Aiwan-E-Sahai Warangal without any permission is illegal improper violation of the existing rules and Law and consequently direct the 1st respondent to stop the illegal construction of the 2nd respondent and take action as per the intimation letter Dated 06-12-2015 of the 1st respondent in Masjid-E-Kalan, Aiwan-E-Sahai, Warangal Town and pass such other order or orders...."

2. Heard learned counsel for the petitioner and Mr.Pasham Mohit, learned standing counsel for Greater Warangal Municipal Corporation appearing on behalf of respondent No 1. Perused the record.

3. The brief facts of the case are that the 2nd respondent is carrying out unauthorized and illegal constructions in the Masjid without obtaining prior permission from the 1st respondent and without following due process of law. It is further contended that the said work is being carried out without consulting the local Musallies and in the absence of valid technical approval or expert engineering advice or statutory permissions and in non-compliance with the guidelines issued by the authorities, thereby causing damage to the front elevation and structural integrity of the historic Masjid.

4. Despite complaints made by several Musallies, and despite the 1st respondent issuing a letter dated 06-12-2015 directing stoppage of construction, no effective action has been taken to prevent the continued illegal construction. An inspection report dated 20-01-2016 also noted irregularities, including improper

structural design and failure to maintain accounts, yet the respondents have failed to take corrective measures.

5. It is stated that the petitioner, a Musalli of the Masjid for over two decades, is aggrieved by the inaction of the respondents. Although an earlier writ petition was dismissed on the ground of non-submission of representation, the petitioner thereafter submitted a fresh representation dated 19-02-2016. However, no action has been taken, and the illegal construction continues, necessitating the filing of the present writ petition.

6. Learned Standing Counsel for Respondent No.1 by placing reliance on the action taken report under the signature of the 1st respondent submitted that pursuant to the orders of this Court dated 02.12.2025, the respondent Corporation conducted an inspection of the subject premises and found that the Construction Committee of Masjid was undertaking construction of a Ground + 1 upper floor building without obtaining prior permission from the Corporation, rendering the same unauthorized. Accordingly, a show cause notice dated 24.12.2025 was issued by the 1st respondent to the Construction Committee of Masjid-E-Kalan,

Aiwan-E-Shahi, Subedari, represented by its President, Syed Mumtaz Ali i.e., the 2nd respondent herein, directing stoppage of work forthwith and calling upon them to submit an explanation within seven (7) days as to why the unauthorized construction should not be removed, failing which further action would be taken in accordance with law.

7. It is submitted that the President of the said construction committee has filed an explanation dated 25.12.2025 in response to the show cause notice issued by the 1st respondent regarding the alleged unauthorized construction on the Masjid premises, and since now a reply has already been submitted, the 1st respondent authority will take further action in accordance with law.

8. Having considered the materials on record and since explanation was stated to be submitted to the show cause notice issued by the respondent, this Court is of the view that the matter requires further examination and action by the competent authority in accordance with law.

9. Accordingly, the Writ Petition is disposed of with a direction to the 1st respondent/Greater Warangal Municipal Corporation to take further course of action in response to the explanation dated 25.12.2025, including any necessary verification against the alleged unauthorized construction, strictly following the procedure laid down under law. There shall be no order as to costs.

Miscellaneous petitions, pending if any, shall stand closed.

SD/- L.VIJAYA LAXMI
ASSISTANT REGISTRAR

//TRUE COPY//



SECTION OFFICER

To,

1. The Commissioner, Greater Warangal Municipal Corporation, Warangal District, at Warangal .
2. The Chief Executive Officer, state Wakf Board, Hajj House Nampally Hyderabad.
3. The Inspector Auditor Wakf Board, Warangal District, at Warangal .
4. One CC to SRI G.L NARASIMHA RAO, Advocate [OPUC]
5. One CC to SRI PASHAM MOHIT, SC FOR GWMC [OPUC]
6. One CC to SRI SAMEER AHMED, SC FOR TSWB[OPUC]
7. Two CD Copies

PMK

TKS

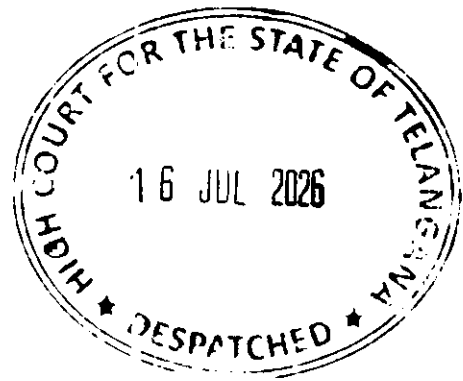


HIGH COURT

DATED: 28/01/2026

ORDER

WP.No.8491 of 2016



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

9 5105
3/7/20