

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA,
AT HYDERABAD

TUESDAY, THE EIGHTEENTH DAY OF NOVEMBER

TWO THOUSAND AND TWENTY FIVE

:PRESENT:
THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION NO: 34693 OF 2025

Between:

1. K. Vikram Dev, S/o. K. Sangameshwar Reddy.
2. Ashok Kondapi, S/o. C. Kondapi.
3. Santosh Darishetty, S/o. D. Rajia Raj.
4. Anil Kumar Venkat Epur, S/o. E.V. Ram Reddi.
5. Mrs. Roopa Epur, W/o. Anil Kumar Venkat Epur.
6. Pawan Gupta, S/o. Late Kanwal Gupta.
7. Raman Gupta, S/o. Late Kanwal Gupta.
8. Arun Gupta, S/o. Late Kanwal Gupta.
9. Praveen Kumar Agarwal, S/o. Jagdish Prasad Agarwal.
10. Kamal Kanth Agarwal, S/o. Chandra Kanth Agarwal.
11. Mrs. Gudipally Jaya Devi, W/o. G. Rama Krishna Reddy.
12. Sudhir Kumar Sanghi, S/o. Late Dr. P.L. Sanghi.
13. Devendra S. Kimtee, S/o. Late Sampatlal.
14. Muffadal S Khambati, S/o. Late Salim G. Khambati.
15. Gandra Vedyarao, S/o. G. Venkata Rama Rao.
16. G.N. Sridhar, S/o. Gullapalli Narasimhan.
17. Mrs. Sathi Nair, D/o. K.P. Balakrishna Pillai.
18. Mohammad Abdul Vassey Kamran, S/o. Late Sri M.A. Hanif, Age. 70 years, Occ. Business, R/o. H.No.8-2-684/J/15, Road No.12, Banjara Hills, Hyderabad. Rep. by GPA Holder Mrs. Batul Kamran W/o. Mohammad Abdul Vassey Kamran, Age. 70 years, Occ.. Business, R/o. H.No.8-2-684/J/15, Road No.12. Banjara Hills, Hyderabad.
19. S. Padma Reddy, S/o. Sri S. Durga Reddy.
20. Vallabhaneni Raghuveer, S/o. Late V. Radhakrishnaiah.
21. Deepak Kumar Kimtee, S/o. Devendra S. Kimtee.

Petitioners

AND

1. The State of Telangana, Rep. by Principal Secretary, Revenue, Secretariat Buildings, Hyderabad.
2. District Collector, Hyderabad District Collector Office, 6-2-10, Lakdikapul, Hyderabad - 500004, Telangana state.
3. Special Collector (LA) and Commissioner, GHMC CC Complex, Tank Bund Road, Hyderabad.
4. Special Deputy Collector (Land Acquisition), GHMC 6th Floor, Municipal Complex, Tank Bund Road, Hyderabad.
5. The Greater Hyderabad Municipal Corporation, Rep. by Commissioner, CC Complex, Tank Bund Road, Hyderabad.
6. The Deputy Commissioner, Circle No.18, Jubilee Hills, Khairatabad Zone, GHMC, Hyderabad.
7. The Assistant City Planner, Greater Hyderabad Municipal Corporation Town Planning Section, Circle-18 Khairatabad, Hyderabad.
8. The Zonal Commissioner, Khairatabad, GHMC, Hyderabad, MCH Building Central Zone, Near CC Complex, Main Road, Khairatabad, Hyderabad-500004.

Respondents

WHEREAS the Petitioners above named through their Advocate SRI P SRI RAM presented this 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 Direction more particularly one in the nature of Writ of Mandamus declaring the issuance of notices dt.01/10/2025 and 18/09/2025 under Section 15(1) of the Right to Fair-Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 without following the due process contemplated under Section 11(1) and violative of the provisions of Section 15 of the Act 30 of 2013, as being arbitrary, illegal and violative of the constitutional rights of the Petitioners and to consequently set aside the alleged Notification B/352/2025 at Page No.1 of Gazette No. GHMC - 30, dated 22/08/2025 and Notification B/355/2025 at Page No.1 of Gazette No. GHMC - 29, dated 22/08/2025 purported to have been issued under Section 11(1) and the notices under Section 15(1) dated 01/10/2025 and 18/09/2025.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri P SRI RAM Advocate for the Petitioners, GP FOR REVENUE for the respondent Nos. 1 & 2 and Sri G Madhusudhan Reddy, learned Standing Counsel for the respondent Nos. 3 to 5, directed issue of notice to the Respondent Nos. 6 to 8, herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Deputy Commissioner, Circle No.18, Jubilee Hills, Khairatabad Zone, GHMC, Hyderabad.

2. The Assistant City Planner, Greater Hyderabad Municipal Corporation Town Planning Section, Circle-18 Khairatabad, Hyderabad.
3. The Zonal Commissioner, Khairatabad, GHMC, Hyderabad, MCH Building Central Zone, Near CC Complex. Main Road, Khairatabad, Hyderabad-500004.

are directed to show cause on or before 24.11.2025 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

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 suspend all further proceedings pursuant to the Notifications Nos. B/352/2025 dated 22/08/2025 and B/355/2025 dated 22/08/2025 and their Gazette publication purported to have been issued under S. 11(1) of the Act 30 of 2013 and to not take any coercive steps in pursuance of the said notifications including dispossession reading the disposal of the present writ petition, pending disposal of WP No. 34693 of 2025, on the file of the High Court.

The Court made the following: ORDER

Notice before admission.

Learned Government Pleader for Revenue takes notice on respondent Nos.1 and 2.

Sri.G.Madhusudhan Reddy, learned standing counsel for GHMC takes notice on behalf of respondent Nos.3 to 5.

Issue notice to respondent Nos.6 to 8.

This writ petition is filed seeking the following prayer:-

"to declare the issuance of notices dated 01.10.2025 and 18.09.2025 under Section 15(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 without following the due process contemplated under Section 11(1) and violative of the provisions of Section 15 of the Act 30 of 2013, as being arbitrary, illegal and violative of the constitutional rights of the Petitioners and to consequently set aside the alleged Notification B/352/2025 at Page No.1 of Gazette No.GHMC-

30, dated 22.08.2025 and Notification B/355/2025 at Page No.1 of Gazette No.GHMC-29 dated 22.08.2025 purported to have been issued under Section 11(1) and the notices under Section 15(1) dated 01.10.2025 and 18.09.2025."

The petitioners are 21 in number who claims to be absolute owners of various properties along Road No.12, Banjara Hills, Hyderabad and that they have been paying their property taxes for many years. Earlier in the year 2023, petitioners were issued with notices stating that GHMC has taken up development of road for better accessibility through the proposed 100'-00" Master plan Road from Virinchi Hospital to Agrasen Junction via Road No.12 and 120'-00" proposed Road from Agrasen Junction to Jubilee Hills Check post via KBR Park (for short 'stretch for acquisition') and the owners/occupier has to submit the required documents i.e., Ownership and Link Documents and Building Sanctioned/Regularization plan. The petitioners submit that without mentioning the relevant provision of law or rules such notices were issued.

Thereafter, in the month of July, 2024 another notice under Section 146 of GHMC Act was issued requesting to give consent and handover of the affected portion for the proposed 100 ft. road. It is submitted that some of the petitioners were served with notice dated 01.10.2025 under Section 15(1) of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short '2013 Act') and that the said notices were issued allegedly in furtherance to a publication of notifications No.B/352/2025; B/355/2025 both dated 22.08.2025 under Section 11(1) of the 2013 Act published by the Special Collector (LA) and Commissioner, GHMC stating that the objections to the land acquisition are to be made within 60 days of the publication of the notification under Section 11(1) to respondent No.4. The petitioners submits that the said notifications were allegedly published in violation of Section 11(1)(b), (c), (d), (e) and Section 11(3) of the 2013 Act. Reliance was placed upon judgments of Hon'ble

Apex Court in *Shiv Singh and others v. State of Himachal Pradesh and others*¹ and *Kolkatta Municipal Corporation v. Bimal Kumar Shah*².

Sri.P.Sri Raghu Ram, learned senior counsel appearing for petitioners would submit that the petitioners are aggrieved by the notification bearing No.B/352/2025 dated 01.10.2025, issued under Section 15(1) of the Act read with Rule 21, wherein proposal was made to acquire 100-00 and 120-0 wide road from Road No.12 Banjara Hills Junction 1&2 (Virinchi Hospital) to Jubilee Hills Check Post via KBR Park, in accordance to the notification issued under Section 11(1) of the Act dated 22.08.2025. Learned senior counsel would further submit that in the notification dated 01.10.2025, the persons interested in the land were directed to lodge their objections before the respondent No.4, within sixty (60) days and the objections received within the due date, will be enquired into on 19.11.2025 at 3.00 Pm at the office of respondent No.4.

Learned senior counsel further submits that Section 11 notification could not be traceable anywhere in the online and is not available in the form of gazette in the official website and that it is mandatory that the owners should be aware of the notification for land acquisition, as such respondent authorities have not followed the procedure prescribed for the purpose of issuing notification. Learned senior counsel further submits that unless notice is given to all the owners, they would not have opportunity to put-forth their objections and participate in the enquiry scheduled to be held on 19.11.2025 at 3.00 PM at the office of respondent No.4 and would further submit that the entire process of acquisition is not in accordance to the provisions of the 2013 Act.

Learned standing counsel appearing for respondent Nos.3 to 5 seeks time to get instructions.

On a perusal of the notification dated 01.10.2025 and 18.09.2025, the names of the persons interested and affected properties have only been included in the notice.

¹ (2018) 15 SCC 270

² (2021) 10 SCC 533

Heard both sides.

Prima facie, it appears that the entire notification has to be examined and apparently the notices dated 01.10.2025 and 18.09.2025 were not issued to all the affected parties enabling them to put forth their objections. The matter requires further examination.

Having considered the above facts and circumstance and since the notice under Section 11(1) has not been published in accordance to Act, 2013, as such the impugned notification dated 01.10.2025 and 18.09.2025 issued under Section 15(1) of 2013 Act on the stretch for acquisition is stayed for a period of two (02) weeks insofar as petitioners are concerned.

List on 24.11.2025, for instructions.

//TRUE COPY//

SD/- T. SRIDEVI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Revenue, State of Telangana, Secretariat Buildings, Hyderabad.
2. District Collector, Hyderabad District Collector Office, 6-2-10, Lakdikapul, Hyderabad - 500004, Telangana state.
3. Special Collector (LA) and Commissioner, GHMC CC Complex, Tank Bund Road, Hyderabad.
4. Special Deputy Collector (Land Acquisition), GHMC 6th Floor, Municipal Complex, Tank Bund Road, Hyderabad.
5. The Commissioner, Greater Hyderabad Municipal Corporation, CC Complex, Tank Bund Road, Hyderabad. (Addressees 1 to 5 by SPAD)
6. The Deputy Commissioner, Circle No.18, Jubilee Hills, Khairatabad Zone, GHMC, Hyderabad.
7. The Assistant City Planner, Greater Hyderabad Municipal Corporation Town Planning Section, Circle-18 Khairatabad, Hyderabad.
8. The Zonal Commissioner, Khairatabad, GHMC, Hyderabad, MCH Building Central Zone, Near CC Complex, Main Road, Khairatabad, Hyderabad-500004. (Addressees 6 to 8 by SPAD- along with a copy of petition and affidavit)
9. One CC to SRI. P SRI RAM Advocate [OPUC]
10. Two CCs to GP FOR REVENUE, High Court at Hyderabad. [OUT]

11. One spare copy
SRT



HIGH COURT

NVSKJ

DATED:18/11/2025

List on 24.11.2025, for instructions

NOTICE BEFORE ADMISSION

WP.No.34693 of 2025

STAY

