

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

THURSDAY, THE TWENTIETH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 35497 OF 2025

Between:

1. Gundeboina Kiran Sagar, S/o Komuraiah.
2. Akula Sreenivas, S/o Late Somaiah.

Petitioners

AND

1. The State of Telangana, Rep. by its Principal Secretary, Department of Municipal Administration and Urban Development Secretariat, Hyderabad.
2. Greater Warangal Municipal Corporation (GWMC), Rep. by its Commissioner, Warangal, Warangal District-506002.
3. City Planner, Greater Warangal Municipal Corporation (GWMC) SVN Road, Warangal - 506002.

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 any appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent Nos. 2 and 3 in illegally encroaching and interfering with the peaceful possession of the Petitioners Plot No.63 in layout No.31/1960 (1/1942 Old Municipal layout) situated at Old Grain Market, Girmajipet, Warangal District to an extent of 555.55 Sq.Yds or 464.50 Sq.Mts without giving any opportunity to the petitioners as being illegal, arbitrary, discriminatory without following the due process of law and violative of Articles 14, 19 and 21 of the Constitution of India and consequently direct the Respondent Nos. 2 & 3 not to illegally encroach and interfere with the peaceful possession of the Petitioners Plot.

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 the Respondent Nos. 2 and 3 not to illegally encroach and interfere with the peaceful possession of the Petitioners Plot No.63 in layout No.31/1960 (1/1942 Old Municipal layout) situated at Old Grain Market, Girmajipet, Warangal District to an extent of 555.55 Sq.Yds or 464.50 Sq.Mts, Pending disposal of WP 35497 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 MUKKERA SAHITHI SRI

KAVYA Advocate for the Petitioners, GP FOR MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT for the Respondent No.1 and Sri Pasham Mohith Standing Counsel for GWMC/Respondents No.2 &3.

The Court made the following.

ORDER:

Mr. Pasham Mohith, learned standing counsel for the GWMC, appearing for respondent Nos.2 and 3, placed on record written instructions and photographs and submitted that the Greater Warangal Municipal Corporation (GWMC) is in possession of the subject plot bearing No.63 of the Grain Market Layout *vide* P.No.31/1960. It is further stated that for the past several years the GWMC had been using the subject plot as Wet Waste Processing Plant and recently it was decided to convert it into a community hall, and accordingly construction was undertaken by the Municipal authorities.

Ms. Sahithi Sri Kavya Mukkera, learned counsel for the petitioners, submitted that the petitioners purchased the subject property under registered sale deed bearing document No.22884 of 2018 dated 31.10.2018. The predecessor-in-title of the petitioners, Mr. late John Chandra Kumar purchased the Plot No.63 in the auction sale conducted by the then Warangal Municipal Committee and the same is also reflected in the registered deed bearing document No.310 of 1965 dated 22.02 1965.

Learned standing counsel submitted that the genuineness of the document bearing No.310 of 1965 now produced by the petitioners need to be verified. As per his oral instructions, the said document is not a genuine one.

In reply, learned counsel for the petitioners submitted that name of father of the vendors of the petitioners is found in the list of auction purchasers at Sl.No.63.

Prima facie, the Municipal Corporation appears to be in possession of the subject property. However, it needs to be verified as to how residential plot is sought to be used for non-residential purpose (community hall). Learned standing counsel shall clarify this aspect and also furnish the information regarding the genuineness of the document which is produced by the learned counsel for the petitioners today before this Court.

Status quo, obtaining as on today, shall be maintained in respect of the property bearing Plot No.63 admeasuring 555.55 square yards in layout No.31/1960 (1/1942 old Municipal layout) situated at Old Grain Market, Girmajipet, Warangal District, till the next date of hearing.

List the matter on 27.11.2025

SD/- K. BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Department of Municipal Administration and Urban Development Secretariat, State of Telangana, Hyderabad.
2. The Commissioner, Greater Warangal Municipal Corporation (GWMC), Warangal, Warangal District-506002.
3. The City Planner, Greater Warangal Municipal Corporation (GWMC) SVN Road, Warangal - 506002.
(RR 1 TO 3 BY SPAD)
4. One CC to SRI MUKKERA SAHITHI SRI KAVYA Advocate [OPUC] ✓
5. Two CCs to GP FOR MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT, High Court at Hyderabad. [OUT]
6. One spare copy

HIGH COURT

BVR,J

DATED: 20/11/2025

List the matter on 27.11.2025

ORDER

WP.No.35497 of 2025

STATUS QUO

