



[3383]

2026:TSHC:18029

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
WEDNESDAY, THE FIFTEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE LAXMI NARAYANA ALISHETTY
WRIT PETITION NO: 34565 OF 2017

Between:

RATNA COMPLEX WELFARE ASSOCIATION, Having its office at 8-3-903/F/7 to 10, Nagarjuna Nagar, Ameerpet, Hyderabad - 500 073
Represented its General Secretary, SMT T.RAJESHWARI, W/o G.Ravindra Babu, Aged about 54 years, Occ Business, R/o Flat Nos.403 and 406, Ratna Complex, H.No.8-3-903/F/7/8, Yellareddyguda, Ameerpet, Hyderabad.

Petitioner

AND

1. THE STATE OF TELANGANA, Represented by its Principal Secretary, Municipal and Administration Department, Secretariat, Hyderabad.
2. THE GREATER HYDERABAD MUNICIPAL CORPORATION,, Having its Office at Lower Tank Bund, Hyderabad. Represented by its Commissioner.
3. THE DEPUTY COMMISSIONER,, The Greater Hyderabad Municipal Corporation, Circle-X, Khairatabad, Hyderabad.
4. T.V.RATNA RAO,, s/o. T.S.Krishna Murty, Aged about 64 years, Occ Business, R/o H.No.83-B, MIGH, S.R.Nagar, 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 pass an order, direction or writ more particularly one in the nature of writ of mandamus declaring the action of official Respondents in not considering the Representation Dated 10.04.2017 submitted by the Petitioner Association wherein it requested it to remove the illegal construction in the Parking Area of Ratna Complex, H.No.8-3-903/F/7 to 10, Yellareddyguda, Ameerpet, Hyderabad by dispossessing the application if any pending for regularization or already regularized without verifying the sanction plan as the constructions are existing in the parking area as it being illegal, arbitrary and in violation of provisions of GHMC Act and consequently direct the official Respondents to demolish the illegal constructions in the Parking Area made by the Respondent No.4 over the above said property;

The petition coming on for hearing upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI P ACHUTHAM REDDY Advocate for the Petitioner, GP FOR MA & UD for respondent No.1, SRI SARANG AFZULPURKAR Advocate for the Respondent Nos. 2 & 3, the Court made the following.



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ORDER

Learned Counsel for the petitioner would submit that respondent No.4 made construction in the cellar in deviation to sanction plan and on complaint filed by the petitioner, respondent Corporation issued notice under Section 452(2) and 636 of the HMC Act on 19.07.2016 and another notice dated 19.10.2016, however, did not take further action. He further submits that in the counter the respondents have taken a stand that in view of the status quo order passed in the suit in OS.No.1795/2016 filed by respondent No.4 before the VI Junior Civil Judge, City Civil Court, Hyderabad, they could not take further action.

Learned Counsel further submits that the said suit was disposed of on 23.02.2017 as the respondent Corporation remained exparte; and that even after disposal of the suit, the respondent Corporation has not taken any action. He also submits that even as per G.O.Ms.No.901 dated 31.12.2007 and G.O.Ms.No.152 dated 01.11.2015, the unauthorized constructions made in the place ear-marked for parking, cannot be regularized, however, the respondents are not taking any action.

Counter filed on behalf of respondent Nos.2 and 3 is silent as to the subsequent action taken by respondent Corporation pursuant to notices dated 19.07.2016 issued under Section 452(2) and 636 of the HMC Act, 1955 and notice dated 19.10.2016 issued under Section 441 of the HMC Act, 1955.

Learned Standing Counsel for respondent Nos.2 and 3 requests time to file additional counter as to the action taken by the respondent Corporation pursuant to the notice dated 19.07.2016 and 19.10.2016, by the next date of hearing.

Post on 06.11.2025 for filing additional counter by respondent Nos.2 and 3, failing which the concerned Officer shall appear in person before this Court.

SD/- L. VIJAYA LAXMI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, State Of Telangana, Municipal Administration Department, Secretariat, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation,, Office at Lower Tank Bund, Hyderabad.



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3. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Circle-
X, Khairatabad, Hyderabad.
(RR 1 to 3 by RPAD)
4. One CC to SRI. P ACHUTHAM REDDY Advocate [OPUC]
5. Two CCs to GP FOR MCPL ADMN-URBAN DEV, High Court at Hyderabad.
[OUT]
6. One spare copy



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HIGH COURT

LNAJ

DATED:15/10/2025

POST ON 06.11.2025

ORDER

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DIRECTION

