

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE TWENTY SEVENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE THE SRI CHIEF JUSTICE APARESH KUMAR SINGH

THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN

WRIT APPEAL NO: 68 OF 2026

Writ Appeal under clause 15 of the Letters Patent Appeal Preferred Against the Order Dated 08-12-2025 Passed in WPNO 15155 of 2015 on the file of the High Court.

Between:

Shri Reddy Sangaiah, S/o Ramaiah age about 65 years, Occ. Business, R/o H.No.1-7-495 Dayara Market, Zamistanpur, Hyderabad.

...APPELLANT

AND

1. The State of Telangana, Represented by its Principal Secretary, Municipal Administration and Urban Development Department, Telangana Secretariat, Hyderabad (TS)
2. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund Road, Hyderabad,
3. The Assistant City Planner, Greater Hyderabad Municipal Corporation, Circle IX, Abids, Hyderabad
4. The Deputy Director, Greater. Greater Hyderabad Municipal Corporation, Circle IX, Abids, Hyderabad
5. Smt. K. Mamatha, W/o K. Anil Kumar, aged about 55 years, Occ. Housewife, R/o 1-7-496/12, Dayara Market, Musheerabad, Hyderabad-500 020

...RESPONDENTS

IA NO: 1 OF 2026

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 no.2 to 4 to take immediate steps to remove the illegal encroachment of the road in respect of H.No.1-7-495/18/1 (Old 1-7-495/18),

Dayara Market, Zamistanpur, Mushirabad, Hyderabad made by respondent no.5, pending disposal of the writ appeal in the interest of justice.

IA NO: 2 OF 2026

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 Stay all further proceedings in the order dated 8-12-2025 passed in W.P. No.15155 of 2015 pending in disposal of the Writ Appeal in the interest of justice.

**Counsel for the Appellant: SRI MOHD ISMAIL ASHFAQ REPRESENTS
SRI R. A. ACHUTHANAND**

**Counsel for the Respondent No 1: SRI E. VENKATA REDDY,
GP FOR MCPL ADMN URBAN DEV**

**Counsel for the Respondents No 2 To 4: MS T. KANYA KUMARI
REPRESENTS SRI G. MADHUSUDHAN REDDY, SC FOR GHMC**

**Counsel for the Respondent No 5: SRI E. AKASH REDDY REPRESENTS
SRI S. SRIDHAR**

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT APPEAL No.68 of 2026

Dated: 27.01.2026

Between:

Shri Reddy Sangaiah

... Appellant

And

The State of Telangana,
Rep., by its Principal Secretary,
Municipal Administration and Urban Development Department,
Telangana Secretariat, Hyderabad and 4 others.

... Respondents

JUDGMENT:

Heard Mr. Mohd ismail Ashfaq, learned counsel represents Mr. R.A. Achuthanand, learned counsel for the appellant; Mr. E. Venkata Reddy, learned Government Pleader for Municipal Administration and Urban Development Department appears for respondent No.1; Ms. T. Kanya Kumari, learned counsel represents Mr. G. Madhusudhan Reddy, learned Standing Counsel for the Greater Hyderabad Municipal Corporation appears for respondent Nos.2 to 4 and Mr. E. Akash Reddy,

learned counsel represents Mr. S. Sridhar, learned counsel for respondent No.5.

2. The dispute before the learned writ Court raised by the writ petitioner/appellant claiming to be the neighbour of respondent No.5 was against the illegal constructions encroaching upon a public road. The writ petition was preferred in the year 2015.

3. After consideration of the case of the parties, the learned writ Court was persuaded to issue the following directions:

“14. In the instant case, since the grievance of the petitioner remains unredressed due to the pendency of the BRS application of respondent No.5, in the light of the aforesaid order dated 28.04.2021 passed by a Division Bench of this Court in WP(PIL) No.63 of 2013 and its batch, as well as the directions issued by the Hon'ble Supreme Court in Rajendra Kumar Barjatya's case (cited supra), the respondent Nos.2 to 4 (GHMC) are directed to process the application dated 19.12.2015 vide reference No. 2000019171, submitted by respondent No.5 for regularization of unauthorized/illegal construction, and to pass appropriate orders in accordance with the interim order dated 18.06.2016 passed in WP(PIL) No.63 of 2016, within a period of three months from the date of receipt of a copy of this order. Subject to result of the BRS application filed by respondent No.5, the respondent Nos.2 to 4 are directed to take appropriate action to redress the petitioner's grievance strictly in accordance with law.

15. Subject to above directions and observations, the writ petition is disposed of. There shall be no order as to costs.”

4. The grievance of the writ petitioner/appellant is that for an illegal construction whose regularization has earlier been rejected, the learned writ Court instead of directing demolition of the structure has permitted the respondent Corporation to take a decision on the application for regularization of the unauthorized/illegal construction under Building Regularization Scheme, 2015 (for short, "the Scheme"), whereas the request for regularization by respondent No.5 was already rejected before coming into force of the Scheme.

5. On the part of respondent No.5, it is submitted that an appeal against the rejection of regularization application was pending, but in view of the Scheme for regularization being notified, respondent No.5 also made an application to avail of the regularization scheme.

6. Learned counsel for the respondent Corporation submits that a Special Leave Petition filed against the Scheme is pending before the Hon'ble Supreme Court. She further submits that appropriate decision would be taken upon any appeal, if pending before the Corporation in accordance with law. They would also take a decision on the regularization application of respondent No.5 within the time stipulated by the learned writ Court and in case regularization is not allowed, take steps for

demolition of the unauthorized/illegal construction, if it is not removed voluntarily by respondent No.5 within the specified period.

7. Having heard the learned counsel for the parties and in the facts and circumstances noted above, while upholding the order of the learned writ Court, we also direct the respondent Corporation to decide the appeal, if any, preferred by respondent No.5 within the same time period as has been granted for taking a decision on the application for regularization under the Scheme. In case the said application is rejected, the respondent Corporation would proceed to remove the unauthorized structure if respondent No.5 fails to remove it in the time stipulated by the Corporation, however subject to outcome of such matter pending before the Apex Court.

8. With the above additional directions, the present appeal is disposed of. No order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

**SD/- A.V.S. PRASAD
DEPUTY REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, State of Telangana, Telangana Secretariat, Hyderabad (TS)
2. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund Road, Hyderabad,
3. The Assistant City Planner, Greater Hyderabad Municipal Corporation, Circle IX, Abids, Hyderabad
4. The Deputy Director, Greater. Greater Hyderabad Municipal Corporation, Circle IX, Abids. Hyderabad

- 
5. One CC to SRI R. A. ACHUTHANAND, Advocate [OPUC]
 6. Two CCs to GP FOR MCPL ADMN URBAN DEV ,High Court for the State of Telangana at Hyderabad . [OUT]
 7. One CC to SRI G. MADHUSUDHAN REDDY, SC FOR GHMC, [OPUC]
 8. One CC to SRI S. SRIDHAR, Advocate [OPUC]
 9. Two CD Copies

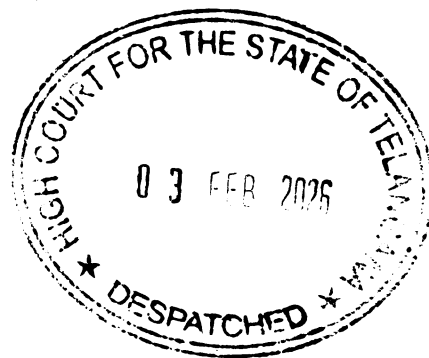
DAN

HIGH COURT

DATED:27/01/2026

ORDER

WA.No.68 of 2026



DISPOSING OF THE WRIT APPEAL
WITHOUT COSTS

14
ASV
2/2/26