

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**MONDAY, THE SIXTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN**

WRIT APPEAL NO: 174 OF 2026

Writ Appeal under clause 15 of the Letters Patent Filed Against the order
Dated 25/11/2024 in Writ Petition No.33004 of 2024 on the file of the High Court.

Between:

SRI. LAXMAIAH, S/o. G. Beerappa, Aged 65 years, Occ- Business, R/o.
H.No.2-54, Gachibowli, Serilingampally Municipality, Ranga Reddy District.

...APPELLANT

AND

1. A. HUSSAIN MAKANDAR, S/o. Hussain Makandar, aged about 72 years, Occ Retd., Employee, R/o. H.No.254/1, Plot No.22, Gachibowli, Serilingampally Municipality, Ranga Reddy District.
2. G SAILU, S/o Kanakaiah aged about 61 years Occ Retd Employee, R/o. H.No.264/1/1, Plot No.21, Gachibowli, Serilingampally Municipality, Ranga Reddy District.

...Respondent/ Petitioner

3. The State of Telangana, Rep by Prl Secretary to Municipal Administration and Urban Development Department Government of Telangana TS Secretariat Hyderabad.
4. The Commissioner, GHMC, Hyderabad
5. The Zonal Commissioner, Serlingampally Zone, Greater Hyderabad Municipal Tortation Serlingampally.
6. The Deputy Commissioner, Serlingampally Zone, GHMC Serlingampally.

...RESPONDENTS

IA NO: 3 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 suspend the order passed in W.P. No.33004/2024, dated 25-11-2024, pending disposal of the above appeal.

Counsel for the Appellant: SRI LINGALA SUDHEER

**Counsel for the Respondent No.1 & 2: Ms. SUDEEPTHI, REP.
SRI S.VIJAYA PRASHANTH**

**Counsel for the Respondent No.4 to 6: SRI G.MADHUSUDHAN REDDY,
SC FOR GHMC**

The Court delivered the following: JUDGMENT

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.174 of 2026

Dated: 16.02.2026

Between:

**Sri Lakshmaiah,
S/o G.Beerappa**

...Appellant

and

A.Hussain Makandar and 5 others

...Respondents

Order:

Heard Mr. Lingala Sudheer, learned counsel for the appellant; Ms. Sudeepthi, learned counsel representing Mr. S.Vijay Prashanth, learned counsel for respondents No.1 and 2 and Mr. G.Madhusudhan Reddy, learned Standing Counsel for respondents No.4 to 6-Greater Hyderabad Municipal Corporation (GHMC).

2. Respondent No.5, who was not put on notice before the learned Writ Court, preferred this Writ Appeal as the GHMC was directed to consider the representation made by respondents No.1 and 2 herein (writ petitioners) by putting both the writ petitioners and respondent

No.5 therein on notice in respect of the alleged illegal construction on the subject property.

3. The matter was adjourned on 13.02.2026 to enable the learned counsel for GHMC to obtain instructions. Today, learned Standing Counsel for GHMC submits, on instructions, that pursuant to the impugned order passed by the learned Writ Court, notices have been issued to both the writ petitioners and respondent No.5 (appellant herein) as to why alleged illegal encroachment be not removed.
4. In response to the above statement made by learned Standing Counsel for GHMC, learned counsel for respondent No.5 (appellant herein) submits that he would appear and participate in the proceedings initiated against the alleged illegal construction.
5. Learned Standing Counsel for GHMC further submitted that the GHMC would consider the explanation furnished by respondent No.5 (appellant herein) and take a decision only after affording an opportunity of hearing to respondent No.5 (appellant herein) and if necessary, to the writ petitioners (respondents No.1 and 2 herein) as well.
6. In the light of the submission made by learned Standing Counsel for GHMC, we are of the view that since the proceedings in

relation to the alleged illegal construction have been initiated by GHMC by issuing notice to both the writ petitioners (respondents No.1 and 2 herein) and respondent No.5 (appellant herein) and the parties are at liberty to take their stand before the GHMC, the impugned direction would not cause any prejudice to respondent No.5 (appellant), even if the Writ Petition was disposed of without notice to him.

7. Let it be made clear that GHMC would take a decision on independent lines without being influenced by any observations made by the learned Writ Court.

8. The Writ Appeal is accordingly disposed of. No costs.

As a sequel, miscellaneous petitions, pending if any, stand closed.

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SD/-K. AMMAJI
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The Pri Secretary to Municipal Administration and Urban Development Department Government of Telangana TS Secretariat Hyderabad, State of Telangana.
2. The Commissioner, GHMC, Hyderabad
3. The Zonal Commissioner, Serlingampally Zone, Greater Hyderabad Municipal Tortation Serlingampally.
4. The Deputy Commissioner, Serlingampally Zone, GHMC Serlingampally.
5. One CC to SRI LINGALA SUDHEER, Advocate [OPUC]
6. One CC to SRI S.VIJAYA PRASHANTH, Advocate [OPUC]
7. One CC to SRI G.MADHUSUDHAN REDDY, SC FOR GHMC [OPUC]
8. Two CD Copies

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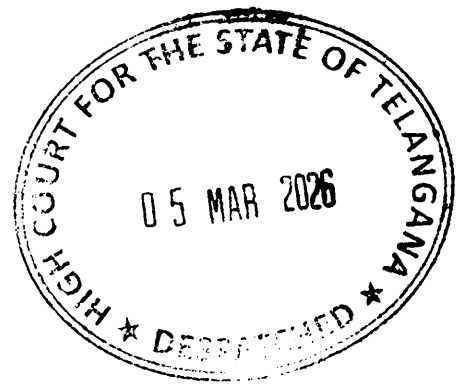
[Signature]

HIGH COURT

DATED: 16/02/2026

JUDGMENT

WA.No.174 of 2026



**DISPOSING OF THE WRIT APPEAL,
WITHOUT COSTS**

(10) *kpr*
3/3/26