

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

**TUESDAY, THE TENTH DAY OF MARCH
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: 288 OF 2026

Writ Appeal under clause 15 of the Letters Patent Preferred Against the Order
Dated 05-02-2026 in W.P.No 3484 of 2026 on the file of the High Court.

Between:

M.C.Loknath, S/o Late M. Chokka Lingam, Aged about 50yrs, Occ Business,
R/o H.No.15-14/1, Venkatapuram, Near Govt. School, Lothukunta,
Secunderabad, Hyderabad.

...APPELLANT

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat Buildings, Hyderabad
2. The Greater Hyderabad Municipal Corporation (GHMC), Rep. by its Commissioner, Tank Bund Road, Hyderabad
3. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Kukatpally Zone, Circle No.27, Alwal, Hyderabad
4. The Zonal Commissioner, Greater Hyderabad Municipal Corporation, Kukatpally Zone, Hyderabad.

...RESPONDENTS

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 suspend the operation of the order dated 05.02.2026 passed in W.P.No.3484 of 2026, pending disposal of the Writ Appeal.

Counsel for the Appellant: SRI D.KAVAL KUMAR

**Counsel for the Respondent No.1: SRI G.BHASKAR, GP FOR MCPL ADMN &
URBAN DEV**

**Counsel for the Respondent Nos.2 to 4: SRI K.RAVI MAHENDER,
SC FOR GHMC**

The Court made the following: JUDGEMENT

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.288 of 2026

Dated: 10.03.2026

Between:

M.C.Loknath

...Appellant

and

The State of Telangana,
Rep. by its Principal Secretary,
Municipal Administration & Urban Development Department,
Secretariat Buildings, Hyderabad,
and 3 others.

...Respondents

JUDGMENT:

Learned counsel Dr. D.Kaval Kumar appears for the appellant.

Sri G.Bhaskar, learned Government Pleader for Municipal
Administration and Urban Development Department, appears for
respondent No.1.

Sri K.Ravi Mahender, learned Standing Counsel for Greater Hyderabad Municipal Corporation (GHMC), appears for respondents No.2 to 4.

2. The impugned judgment dated 05.02.2026 passed in W.P.No.3484 of 2026 refused to interfere in the rejection order dated 29.01.2026 passed by respondent No.2, after taking note of the case of the parties and, *inter alia*, holding as under:

“11. In the case on hand, it is noticed that the petitioner has made construction in gross violation of the sanctioned plan and mandatory building norms and rules and the same has affected their neighbour's rights. It is pertinent to note that as submitted by the learned standing counsel for GHMC that there is no Regularization Scheme presently in force for regularization or penalization of buildings constructed in deviation to sanctioned plans as such it is for the respondent authorities to take appropriate action in accordance with law.

12. Having considered the above facts and circumstance and since, the petitioner has deviated sanction plan and carried constructions in gross violation to the GHMC Act, 1955, the Rejection order bearing No.1169-1/TPS/C02/MKGZ/GHMC/2026 dated 29.01.2026 warrants no interference. This writ petition being devoid of merits fails and is accordingly dismissed.”

3. The appellant, who was the writ petitioner, had approached the GHMC for regularisation of the deviation while undertaking construction on the subject land. By the order dated 26.09.2025, the Deputy Commissioner, Alwal Circle No.27, KPZ GHMC, had after issuing notice and opportunity of hearing to the parties found that the appellant had clearly deviated the building permit issued by the GHMC

and has not maintained mandatory setbacks. Therefore, the explanation submitted by the appellant was found to be not satisfactory and cannot be accepted as the inspection reports and GHMC records clearly established that permanent deviations have been made. The appellant was asked to remove the unauthorised construction within fifteen days from the date of receipt of the notice, failing which it was made clear that the GHMC would take necessary action to demolish/seal the unauthorised construction. The unauthorised construction has been referred to in the order dated 26.09.2025, relevant part of which is extracted hereunder:

“Further the explanation submitted by Sri M.C.Lokanath has been examined in detail and further the setbacks measurements were taken again and the setbacks are as follows:

Sl. No.	Description	As per Sanctioned plan	As on ground	Deviations
	All round setbacks			
	Front	1.5 M	1.2 M	0.3 M
	Rear	1 M	0.66 M	0.34 M
	Side -1 (East)	1 M	0.15 M	0.85 M
	Side -2 (West)	1 M	0.0 M	1 M
	Road affected area	22.14 Sq. Yards	0	22.14 Sq. Yards

Therefore, it is clearly evident that Sri M.C.Lokanath has clearly deviated the building permit issued by this office and has not maintained mandatory setbacks. Therefore, the explanation submitted is not satisfactory and cannot be accepted, as the inspection reports and GHMC records clearly establish that permanent deviations have been made.”

4. The learned writ court took into consideration all these aspects and dismissed the writ petition without interfering in the impugned proceedings. Being aggrieved, the appellant has preferred this appeal.

5. We have heard the learned counsel for the parties.

6. After going through the relevant records and on perusal of the impugned judgment and also the written instructions of the Deputy Commissioner, Alwal Circle 02, MK Zone, MMC, we are of the opinion that the impugned judgment does not suffer from any error warranting interference.

7. It appears from the written instructions that the appellant had himself given an undertaking on 19.02.2026 that he had made setback violations and requested the GHMC to give two weeks time to rectify the setback violations committed by him. But, till date, the appellant has only removed the parapet wall on one side and has not removed the slabs, columns and staircase constructed in the setback area. The appellant, in the garb of rectifying the setback deviations, has occupied the house unauthorisedly and thereafter approached this Court with unclean hands.

8. Taking into note all these facts and circumstances, we are not inclined to interfere in the impugned judgment.

9. The instant appeal is accordingly dismissed. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

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SD/-MOHD. ISMAIL
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. One CC to SRI D.KAVAL KUMAR, Advocate [OPUC]
2. One CC to SRI K.RAVI MAHENDER, SC FOR GHMC [OPUC]
3. Two CCs to GP FOR MCPL ADMN & URBAN DEV, High Court for the State of Telangana at Hyderabad . [OUT]
4. Two CD Copies

PMK

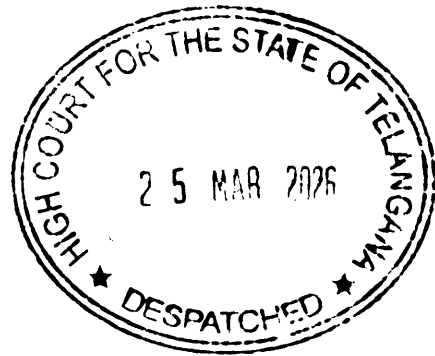
BS 

HIGH COURT

DATED:10/03/2026

JUDGEMENT

WA.No.288 of 2026



**DISMISSING THE WRIT APPEAL
WITHOUT COSTS**

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