

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

**THURSDAY, THE TWENTY SIXTH 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: 242 OF 2026

Writ Appeal under clause 15 of the Letters Patent Preferred against the dated 30/12/2025 in WP No 39997 of 2025 on the file of the High Court.

Between:

Smt. Pinnela Samyuktha, W/o. Vijay Kumar, aged Major, Occ Housewife,
R/o. 4-8-58, Street Jawahar Road, Pusalagally, Nizamabad, Nizamabad
District.

...APPELLANT/5th RESPONDENT

AND

1. Kothapally Sreenivas, S/o. Kistaiah, aged 62 years, Occ Business, R/o. 5-112, Saraswathi Nagar, Armoor, Mamidipally, Nizamabad District

...RESPONDENT/WRIT PETITIONER

2. The State of Telangana, Rep. by its Principal Secretary, Municipal Administrative Urban Development Department, Secretariat, Hyderabad.
3. The Commissioner, Panchayat Raj Rural Development Government of Telangana.
4. The Nizamabad Municipal Corporation, Nizamabad, Rep. by its Commissioner, Nizamabad District.
5. The Town Planning Officer, The Nizamabad Municipal Corporation, Nizamabad.

...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 WP No. 39997 of 2023 dated 30.12.2025 pending disposal of Writ Appeal in the interest of justice.

Counsel for the Appellant: SRI P.U BHASKARA RAO

Counsel for the Respondent No.1: SRI SHAFATH AHMED KHAN

Counsel for the Respondent No.2: Ms. V.JAYASREE, AGP FOR MCPL ADMN & URBAN DEV

Counsel for the Respondent No.3: SRI SHAZIA PARVEEN GP FOR PANCHAYAT RAJ & RURAL DEV

Counsel for the Respondent Nos.4 & 5: SRI V.SATYAM REDDY, SC FOR MUNICIPALITY

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.242 of 2026

Dated: 26.02.2026

Between:

Smt. Pinnela Samyuktha

...Appellant

and

Kothapally Sreenivas
and 4 others.

...Respondents

JUDGMENT:

Learned counsel Sri P.U.Bhaskara Rao appears for the appellant through video conferencing.

Learned counsel Sri Shafath Ahmed Khan appears for respondent No.1.

Ms. V.Jayasree, learned Assistant Government Pleader for Municipal Administration and Urban Development Department, appears for respondent No.2.

Ms. Shazia Parveen, learned Government Pleader for Panchayat Raj and Rural Development Department, appears for respondent No.3.

Sri V.Satyam Reddy, learned Standing Counsel, appears for respondents No.4 and 5.

2. The appellant, who is respondent No.5 in W.P.No.39997 of 2025, is said to be the owner of the subject property in respect of which respondent No.1 herein, who is the writ petitioner, approached the learned writ court for implementation of the order dated 30.08.2025 passed under Sections 174, 178, 180 and 181 of the Telangana Municipalities Act, 2019, directing the appellant to remove the unauthorised construction within a period of fifteen days. Respondents No.4 and 5 herein were impleaded, but no notice was issued to the appellant, though she was likely to be affected on account of implementation of the order dated 30.08.2025 for removal of the unauthorised construction on the subject property. The learned writ court, however, proceeded to dispose of the writ petition on 30.12.2025 in the following manner:

“4. In the circumstances, this writ petition is disposed of directing respondent No.3 and 4 to implement the order dated 30.08.2025 for removal of unauthorized construction in the property bearing Municipal No.4-8-58, Street Jawahar Road, Pusalagally, Nizamabad, within a period of four (4) weeks from the date of receipt of a copy of this order.

5. As the order is passed without entering into the merits of the case, notice to respondent No.5 is dispensed with. However if respondent

No.5 is, in any way, aggrieved by this order, she is at liberty to approach this Court seeking for modification of this order. There shall be no order as to costs.”

3. Being aggrieved, the appellant has preferred this appeal.
4. Learned counsel for respondent No.1 is present. He has pointed out to the last paragraph of the impugned order which provides for liberty to the aggrieved appellant to seek modification of the said order.
5. Learned Standing Counsel for respondents Corporation submits that they have to comply the requirement of notice on the appellant before carrying out demolition in terms of the order dated 30.08.2025.
6. Upon hearing learned counsel for the parties, we are of the considered view that as the direction to implement the order dated 30.08.2025 for removal of unauthorised construction on the subject property of the appellant was passed without notice to the appellant, though she was the affected party, the impugned order cannot be sustained in the eye of law. The impugned order is accordingly set aside. The matter is remitted to the learned writ court to consider it afresh and pass appropriate orders. The appellant shall enter appearance in the writ petition within a week.

7. The instant appeal is accordingly allowed. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

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SD/-B. SATYAVATHI
JOINT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administrative Urban Development Department, Secretariat, Hyderabad.
2. The Commissioner, Panchayat Raj Rural Development Government of Telangana.
3. The Commissioner, Nizamabad Municipal Corporation, Nizamabad, Nizamabad District.
4. The Town Planning Officer, The Nizamabad Municipal Corporation, Nizamabad.
5. One CC to SRI P.U BHASKARA RAO, Advocate [OPUC]
6. One CC to SRI SHAFATH AHMED KHAN, Advocate [OPUC]
7. One CC to SRI V.SATYAM REDDY, SC FOR MUNICIPALITY [OPUC]
8. The Section officer Postinf Section High Court for the state of Telanagan.
9. The Section officer writ Non-Service High Court for the state of Telanagan.
10. Two CCs to GP FOR MCPL ADMN & URBAN DEV, High Court for the State of Telangana at Hyderabad . [OUT]
11. Two CCs to GP FOR PANCHAYAT RAJ & RURAL DEV, High Court for the State of Telangana at Hyderabad . [OUT]
12. Two CD Copies

PMK

BS

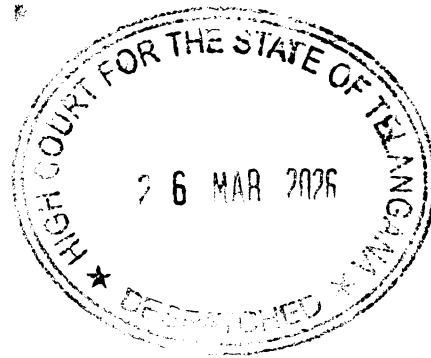
PMG.

HIGH COURT

DATED:26/02/2026

JUDGEMENT

WA.No.242 of 2026



**ALLOWING THE WRIT APPEAL
WITHOUT COSTS**

(16) P.M.C.
16/3/26.