

[3488]

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE TWELFTH 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**

I.A.No.1 OF 2026

IN/AND

WRIT APPEAL NO: 273 OF 2026

I.A.No.1 OF 2026

Between:

K Srinivasa Rao, S/o.K.Venkateshwar Rao, Aged about 61 years, Occ. Employee of Voltas Ltd., R/o. H.No. 48-444, Ganeshnagar Village, HMT Post, Quthbullapur Mandal, Ranga Reddy District -500054.

...APPELLANT

AND

1. Smt. Madanala Srilatha, W/o. Sri Madanala Prabhakar, Aged about 43 years, Occ. Housewife, R/o. H.No. 27-44, Gandhi Nagar, Opp. Krishnaveni Talent School, Chintal, Quthbullapur Mandal, Medchal-Malkajgiri District, Telangana State.
2. The State of Telangana, Municipal Administration and Urban, Development Department, Secretariate Buildings, Hyderabad, Telangana Rep. by its Principal Secretary.
3. The Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Lower Tank Bund, Hyderabad-500063.
4. The Zonal Commissioner, GHMC Quthbullapur, Hyderabad-500054.
5. The Deputy Commissioner, GHMC Quthbullapur, Circle No.54, Hyderabad.
6. The Assistant City Planner/Town Planning Officer, GHMC Quthbullapur, Hyderabad Circle No.54.

...RESPONDENTS

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 grant leave to the petitioner/appellant to file the present writ appeal, against order dated 10-2-2026 passed in WP No.4030 of 2026.

W.A.No.273 OF 2026

Writ Appeal under clause 15 of the Letters Patent against the Order Dated 10/02/2026 in W.P No. 4030 of 2026 on the file of the High Court.

Between:

K Srinivasa Rao, S/o.K.Venkateshwar Rao, Aged about 61 years, Occ. Employee of Voltas Ltd., R/o. H.No. 48-444, Ganeshnagar Village, HMT Post, Quthbullapur Mandal, Ranga Reddy District -500054.

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AND

1. Smt. Madanala Srilatha, W/o. Sri Madanala Prabhakar, Aged about 43 years, Occ. Housewife, R/o. H.No. 27-44, Gandhi Nagar, Opp. Krishnaveni Talent School, Chintal, Quthbullapur Mandal, Medchal-Malkajgiri District, Telangana State.
2. The State of Telangana, Municipal Administration and Urban, Development Department, Secretariate Buildings, Hyderabad, Telangana Rep. by its Principal Secretary.
3. The Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Lower Tank Bund, Hyderabad-500063.
4. The Zonal Commissioner, GHMC Quthbullapur, Hyderabad-500054.
5. The Deputy Commissioner, GHMC Quthbullapur, Circle No.54, Hyderabad.
6. The Assistant City Planner/Town Planning Officer, GHMC Quthbullapur, Hyderabad Circle No.54.

...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 dated 10-2-2026 in the WP No.4030 of 2026 by restraining the respondent no 4 to enter upon or conduct any enquiry or granting building permission in respect H. No. 30-098 of Nanda Nagar, Quthbullapur, Medchal-Malkajgiri District on the application of the 1st respondent herein/writ petitioner, pending disposal of the writ appeal.

Counsel for the Appellant : SRI SRIKANTH HARIHARAN

Counsel for the Respondent No.1 : SRI R.SRIDHAR REDDY

Counsel for the Respondent No.2 : SRI G.BHASKAR, GP FOR MA & UD

Counsel for Respondents No.3TO6 : SRI K.RAVI MAHENDER, SC FOR GHMC

The Court made the following: COMMON 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

I.A.No.1 of 2026

in/and

WRIT APPEAL No.273 of 2026

DATED: 12.03.2026

I.A.No.1 of 2026:

Between:

K.Srinivasa Rao, S/o. K.Venkateshwar Rao

... Petitioner/Appellant

AND

Smt. Madanala Srilath, W/o. Sri Madanala Prabhakar & 5 others

... Respondents

AND

W.A.No.273 of 2026:

Between:

K.Srinivasa Rao, S/o. K.Venkateshwar Rao

... Appellant/Third Party

AND

Smt. Madanala Srilath, W/o. Sri Madanala Prabhakar & 5 others

... Respondents

JUDGMENT:

Heard Mr. Ganta Ramakrishna, learned counsel representing Mr. Srikanth Hariharan, learned counsel appearing for the appellant, Mr. R.Sridhar Reddy, learned counsel appearing for respondent No.1/writ petitioner, Mr. G.Bhaskar,

learned Government Pleader for Municipal Administration and Urban Development Department appearing for respondent No.2 and Mr. K.Ravi Mahender, learned Standing Counsel for Greater Hyderabad Municipal Corporation (GHMC) appearing for respondent Nos.3 to 6.

2. Appellant is the leave petitioner. Respondent No.1, who is the writ petitioner, claims to have purchased the subject property comprising only 75 square yards in H.No.30-098, Nanda Nagar, over Survey No.281 situated at Quthbullapur Village and Mandal in Medchal-Malkajgiri District, by virtue of a sale deed executed on 24.08.2024 by her vendor – Sri Yeligeti Sainath, who in turn purchased it from his vendor – Sri K.Suresh Kumar, S/o. Sri K.Venkateshwar Rao, on 22.04.2022. Sri K.Suresh Kumar purchased the said property from his father - Sri K.Venkateshwar Rao, on 23.12.2021. It is submitted that the property was sold by Sri K.Suresh Kumar on 22.04.2022 before the injunction order was passed on 07.02.2023 in I.A.No.70 of 2022 in O.S.No.173 of 2009 at the behest of the leave petitioner. The leave petitioner has been fighting a partition suit with Sri K.Suresh Kumar claiming himself to be the coparcener of the subject property. The leave petitioner filed W.P.No.11772 of 2025 impleading the vendor of respondent No.1, who had purchased the subject property on 22.04.2022. Respondent No.1 wants to carry on certain construction on the subject land under Telangana Building Permission Approval and Self-Certification System (TG-bPASS) exempted

category (75 square yards) by laying ACC roof and other ancillary works. She has also sought direction upon the respondents in the writ petition not to interfere by way of demolition or cause any kind of interference on her property.

3. The learned writ Court had, by the impugned order, disposed of the writ petition with a direction to respondent No.1/writ petitioner to approach respondent No.4 - Zonal Commissioner, GHMC, Quthbullapur, Hyderabad in support of her documents. Thereafter, respondent No.4 was directed to give a fair opportunity of hearing and consider the documents furnished by respondent No.1 in support of her status on the subject land and after considering the same, pass appropriate orders strictly in accordance with law including issuance of building permission within a period of four weeks from the date of receipt of copy of the order. Till then, respondent No.4 was directed not to take any coercive steps on the subject property. It was also made clear that respondent No.1 shall not make any further constructions without obtaining a valid building permission. It was further made clear that if any construction is made in contravention of the building permit, the respondent authorities would take appropriate action strictly in accordance with law. The learned writ Court made it clear that it has not expressed any opinion on the merits of the case.

4. Learned counsel for respondent No.1 had submitted on the previous date that the leave petitioner has also been issued notice by the GHMC on the application of respondent No.1. The leave petitioner has no valid claim to assail the impugned order as the property purchased by respondent No.1 is not encumbered or covered under the injunction order dated 07.02.2023 before which date itself, the vendor of respondent No.1 had purchased the subject property from Sri K.Suresh Kumar, S/o. Sri K.Venkateshwar Rao.
5. The matter was adjourned on 05.03.2026 to enable learned Standing Counsel for the GHMC to obtain instructions as to whether the leave petitioner has also been issued any notice and whether he has filed any objection.
6. Today, on instructions, learned Standing Counsel for GHMC submits that till date no notice has been issued upon the leave petitioner/appellant on the question of grant of building permit claimed by respondent No.1. However, he submits that the respondent No.4 – Zonal Commissioner, GHMC, Quthbullapur, Hyderabad shall issue notice also upon the leave petitioner/appellant in respect of the claim of respondent No.1 for building permission and after hearing the parties, take a decision thereupon in accordance with law.
7. Learned counsel for the appellant and respondent No.1/writ petitioner both are at consensus that the matter can be disposed of with a direction to respondent No.4 – Zonal Commissioner, GHMC, Quthbullapur, Hyderabad to

pass appropriate orders on the application of respondent No.1 for building permission after due notice to both of them and a fair opportunity of hearing and also upon consideration of the documents furnished by both the parties.

8. Learned counsel for respondent No.1/writ petitioner prays that respondent No.4 - Zonal Commissioner, GHMC, Quthbullapur, Hyderabad may be directed to take a decision within a fixed time frame.

9. In view of the aforesaid facts and circumstances and upon hearing learned counsel for the parties, I.A.No.1 of 2026 and the instant Writ Appeal are disposed of, in addition to the direction issued by the learned writ Court, with a further direction to issue notice upon the appellant and allow the parties to furnish their relevant documents with an opportunity of hearing before passing an appropriate order on the application of respondent No.1 for building permission on the subject land. It is expected that respondent No.4 would take a decision within a reasonable time preferably within eight weeks from the date of receipt of copy of the order. However, there shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

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SD/- P.Ch.NAGABHUSHAMBA
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, State of Telangana, Municipal Administration and Urban, Development Department, Secretariat Buildings, Hyderabad, Telangana.
2. The Commissioner, Greater Hyderabad Municipal Corporation, Lower Tank Bund Hyderabad-500063.
3. The Zonal Commissioner, GHMC Quthbullapur, Hyderabad-500054.
4. The Deputy Commissioner, GHMC Quthbullapur, Circle No.54, Hyderabad.

5. The Assistant City Planner/Town Planning Officer, GHMC Quthbullapur, Hyderabad Circle No.54.
6. One CC to SRI SRIKANTH HARIHARAN, Advocate. [OPUC]
7. One CC to SRI R.SRIDHAR REDDY, Advocate [OPUC]
8. Two CCs to GP for Municipal Administration and Urban Development, High Court for the State of Telangana at Hyderabad. [OUT]
9. One CC to SRI K.RAVINDER MAHENDER, SC FOR GHMC. [OPUC]
10. Two CD Copies.

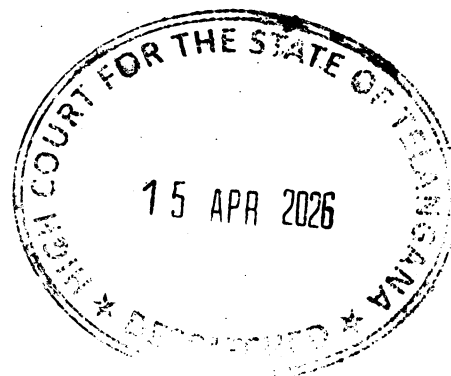
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HIGH COURT

DATED: 12/03/2026



COMMON JUDGMENT

**I.A.No.1 OF 2026
IN/AND
WA.No.273 of 2026**

**DISPOSING OF THE I.A., &
WRIT APPEAL WITHOUT COSTS**

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