

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

**TUESDAY, THE EIGHTEENTH DAY OF AUGUST
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: 857 OF 2026

Writ Appeal under clause 15 of the Letters Patent Appeal Preferred Against the Order Dated 01/04/2026 in W.P No. 4363 of 2026 on the file of the High Court.

Between:

G. Chakradhar Goud, S/o Ramakrishna Goud, Aged about 39 years, Occu. Politician, R/o H.No.1-1-21/5, Vivekananda Colony, Narsapur Chourasta, Siddipet District, Telangana -502103.

...APPELLANT

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Hyderabad.
2. The District Collector, Siddipet District, Telangana.
3. The Director of Town and Country Planning, Government of Telangana, Hyderabad.
4. The District Panchayat Officer, Siddipet District, Telangana.
5. The Mittapalli Gram Panchayat, Rep. by Panchayat Secretary, Siddipet Mandal and District, Telangana.
6. The Siddipet Urban Development Authority (SUDA), Rep. by its Vice-Chairman, Siddipet District, Telangana.
7. Surabhi Institute of Medical Sciences, Rep. by its Chairman, Mittapalli Village, Siddipet Mandal and District, Telangana -502375.

...RESPONDENTS

I.A. 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.4363 of 2026,dated.01.04.2026 of the Hon'ble Sri Justice N.V.SHRAVAN KUMAR during the pendency of the appeal.

I.A. NO: 4 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 authorities to take appropriate action, in accordance with law, against the unauthorized construction raised by Respondent No.7, pursuant to and basing upon the statutory notices dated 17.03.2020, 20.01.2025 and 24.02.2025 already issued by the Respondent authorities.

Counsel for the Appellant: SRI. PALLY VINOD KUMAR REDDY

Counsel for the Respondent No.1: GP FOR MCPL ADMN URBAN DEV

Counsel for the Respondent No.2 & 3: GP FOR REVENUE

**Counsel for the Respondent No.4: Ms SHAZIA PARVEEN,
GP FOR PANCHAYAT RAJ &
RURAL DEVELOPMENT**

**Counsel for the Respondent No.5: SRI PRADEEP REDDY KATTA,
SC FOR GRAM PANCHAYAT**

**Counsel for the Respondent No 6: : SRI PUTTA KRISHNA REDDY,
SC FOR SUDA**

**Counsel for the Respondent No.7: Ms T. PREETI REPRESENTING
SRI K. PRATIK REDDY**

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.857 of 2026

Dated:18.08.2026

Between:

G.Chakradhar Goud

...Appellant

and

The State of Telangana,
Rep. by its Principal Secretary,
Municipal Administration & Urban Development Department,
Secretariat, Hyderabad,
and 6 others.

...Respondents

JUDGMENT:

Learned counsel Sri Pally Vinod Kumar Reddy appears for the appellant.

Ms. Shazia Parveen, learned Government Pleader for Panchayat Raj & Rural Development Department, appears for respondent No.4.

Sri Pradeep Reddy Katta, learned Standing Counsel for Gram Panchayat, appears for respondent No.5.

Learned counsel Ms. Sharvani Gudipati, representing Sri Krishna Reddy Putta, learned Standing Counsel for Siddipet Urban Development Authority, appears for respondent No.6.

Learned counsel Ms. T.Preeti, representing learned counsel Sri K.Pratik Reddy, appears for respondent No.7.

2. The writ petitioner is the appellant aggrieved by the impugned direction contained in the order dated 01.04.2026 passed in W.P.No.4363 of 2026 in the following terms:

"12. Recording the submissions made by the learned Standing Counsel for Respondent Nos.6 and 7, and without going into the merits of the case and since the respondent No.7 had submitted regularization application, this writ petition is disposed of directing Respondent No.6 to consider and pass appropriate orders on the regularization application received on 24.06.2025 within a period of (04) four weeks from the date of receipt of copy of this order and respondent No.7 shall not make any further construction until such orders are passed. It is made clear that this Court has not expressed any opinion on the title and rights accrued to the petitioner on the respondent No.7. Since the matter pertains to the permission and approvals relating to the constructions made by respondent No.7, it is left open to respondent Nos.1 to 6 to take appropriate actions strictly in accordance with law.

13. Accordingly, this writ petition is disposed of. Miscellaneous applications, if any pending, shall stand closed. No order as to costs."

3. The appellant approached the learned writ court alleging the action on the part of the official respondents in permitting illegal and unauthorised construction by respondent No.7 despite statutory notices issued upon it, as illegal and arbitrary. During the course of hearing of the case, it was brought to the notice of the learned writ court that respondent No.7 had made an application for regularisation of the

construction on 24.06.2025. Therefore, the learned writ court, instead of forming an opinion about the construction being unauthorised or not, deemed it proper to direct respondent No.6 – Siddipet Urban Development Authority, to take a decision on the regularisation application of respondent No.7, which is their statutory responsibility under the Telangana Urban Areas (Development) Act, 1975 (hereinafter referred to as, “the Act of 1975”). Section 14 thereof deals with application for permission and Section 46-A deals with regulation and penalization of construction of buildings in deviation of sanctioned plan.

Sections 14 and 46-A of the Act of 1975 read as under:

“14. Application for permission. - (1) Every person or body including a department of the Government desiring to obtain the permission referred to in section 13 shall make an application in writing to the Authority in such form and containing such particulars in respect of the development to which the application relates as may be determined by regulations.

(2) Every application under sub-section (1) shall be accompanied by such fee as may be prescribed and a copy of the title deed of the land duly attested by a Gazetted Officer of the Government together with an urban land ceiling clearance certificate if the extent of the land exceeds the ceiling limit or an affidavit declaring that the total extent of land held by such holder, his or her spouse and unmarried minor children does not exceed the ceiling limit.

Provided that no such fee shall be necessary in the case of an application made by a Department of the Government, or any local authority.

(3) On receipt of an application for permission under sub-section (1), the Authority, after making such enquiry as it considers necessary, in relation to any matter specified in clause (d) of sub-section (2) of section 7, or in relation to any other matter, shall by order in writing either grant the permission, subject to such conditions, if any, as may be specified in the order or refuse to grant such permission.

(4) Where permission is refused, the grounds of such refusal shall be recorded in writing and communicated to the applicant in the manner determined by regulations.

(5) If, within ninety days after the receipt of any application made under this section for permission, or of any information or further information required under rules or regulations, the Authority has neither granted nor refused its permission, such permission shall be deemed to have been granted; and the applicant may proceed to carry out the development but not so as to contravene any of the provisions of this Act or any rules or regulations made under this Act.

(6) The Authority shall keep a register of applications for permission under this section in such form as may be determined by regulations.

(7) The said register shall contain such particulars including information as to the manner in which applications for permission have been dealt with, as may be determined by regulations and shall be available for inspection by any member of the public during specified hours on payment of such fee, not exceeding rupees five, as may be determined by regulations.

(8) Where permission is refused under this section the applicant or any person claiming through him shall not be entitled to get refund of the fee paid on the application for permission.

46-A. Regulation and penalisation of construction of buildings in deviation of sanctioned plan:- Notwithstanding anything contained in the Act, in the case of Gram Panchayats falling in Urban Development Authority areas, the Vice-Chairman may regulate and penalise the construction of buildings, made by the owner, or by an individual as the case may be, unauthorisedly or in deviation of the sanctioned plan as on 28.10.2015 as a one time measure as per the procedure and by levying such penal amount as may be prescribed and upon payment of such amount, all pending or contemplated proceedings and action of enforcement shall be deemed to have been withdrawn and the competent authority shall issue necessary occupancy Certificate to the owner or the individual as the case may be."

4. The construction of the structures was made in the year 2016. Section 46-A of the Act of 1975 was substituted with effect from 31.10.2015. It refers to regulation and penalization of construction of buildings made by owner or by an individual, as the case may be, unauthorisedly or in deviation of the sanctioned plan as on 28.10.2015 as a one time measure as per the procedure and by levying such penal amount as may be prescribed. It contemplates both situations - if the construction has been made unauthorisedly or in deviation of the

sanctioned plan as on 28.10.2015. The application for building permission was made by respondent No.7 on 10.02.2016. Apparently, no permission was granted within the stipulated period under Section 14(5) of the Act of 1975 from the date of the application. Respondent No.7 has carried out construction treating it to be a deemed sanction under Section 14(5) of the Act of 1975. The appellant's grievance is against such construction purportedly without any formal sanction. Since the Act of 1975 provides for regulation and penalization of construction of buildings in deviation of sanctioned plan, the question whether the construction was unauthorised or can be regularised is to be decided by the competent authority for which an application has been made by respondent No.7 on 24.06.2025.

5. In the aforesaid facts and circumstances and the relevant provisions of the Act of 1975, the learned writ court rightly did not take a final decision on merits on the plea raised by the appellant, as the application for regularisation was pending before the concerned respondent authority.

6. Learned counsel for respondent No.6 submits that the appellant would also be heard and allowed to make any objection while considering the application for regularisation of construction made by

respondent No.7. In that event, the concern of the appellant is also taken care of.

7. In the totality of the facts and circumstances, the provisions of law taken note above and upon consideration of the rival submissions of the learned counsel for the parties, we do not find any ground to interfere in the impugned order. However, while taking a decision by the concerned authority on the application for regularisation made by respondent No.7, an opportunity shall also be provided to the appellant to file his objection.

8. The writ appeal is accordingly dismissed. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

**SD/- V.KAVITHA
DEPUTY REGISTRAR**

SECTION OFFICER

To,

1. One CC to SRI. PALLY VINOD KUMAR REDDY, Advocate [OPUC]
2. Two CCs to GP FOR MCPL ADMN URBAN DEV, High Court for the State of Telangana, at Hyderabad [OUT]
3. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad [OUT]
4. Two CCs to GP FOR PANCHAYAT RAJ & RURAL DEVELOPMENT, High Court for the State of Telangana, at Hyderabad [OUT]
5. One CC to SRI PRADEEP REDDY KATTA, SC FOR GRAM PANCHAYAT [OPUC]
6. One CC to SRI PUTTA KRISHNA REDDY, SC FOR SUDA [OPUC]

7. One CC to SRI K. PRATIK REDDY, Advocate [OPUC]

8. Two CD Copies

DAN

TKS

A handwritten signature in black ink, appearing to be 'RK' or similar, written over the word 'DAN'.

HIGH COURT

DATED: 18/08/2026

ORDER

WA.No.857 of 2026



**DISMISSING THE WRIT APPEAL
WITHOUT COSTS**

(13)
NT
31/8/26