

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

**MONDAY, THE THIRTY FIRST DAY OF AUGUST
TWO THOUSAND AND TWENTY SIX**

PRESENT

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

WA.Nos.782, 784 AND 785 OF 2026

WA NO: 782 OF 2026

Writ Appeal under clause 15 of the Letters Patent Appeal Against the Order Dated 10/07/2026, in W.P No. 37346 of 2025 on the file of the High Court.

Between:

1. Sri S.Srinivas Rao, S/o. Late S.P.Eshwar Rao, Aged 50 years, Occupation. Business, R/o. Plot No.150, Ravi Colony, Mahendra Hills, Secunderabad-500 026.
2. Sri Sesham Shiva Ram Prasad, S/o. Late S.P. Eshwar Rao, Aged about 48 years, Occupation. Business, R/o.Suit No.4.02, 343 Little Collins Street, Melbourne 3000, Australia.
3. Dr.Uma Rani Panganamula, W/o Dr. Kashyap V Panaganamamula, D/o. Late S.P.Eshwar Rao, Aged about 51 years, Occupation. Doctor, R/o 3 Windermere Drive, Moorestown, New Jersey 08057, U.S.A.

Second and third Petitioners are represented by their G.P.A.Holder and the first Petitioner who is none other than their brother.

...Petitioners/Appellants

AND

1. State of Telangana, Represented by its Principal Secretary Municipal Administration and Urban Development, 4th and 5th Floor, 640, A.C.Guards, Masab Tank, Opp. PTI Building, Hyderabad, Telangana - 500038. E-Mail. prlsecy maud@telangana.goy.in
2. Greater Hyderabad Municipal Corporation, Represented by its Commissioner, CC Complex, Tank Bund Road, Lower Tank Bund, Hyderabad - 500063. E-Mail. commissioner@ghmc.gov.in
3. The Tahsildar, Marredpally Mandal, Hyderabad District
4. The Station House Officer, Police Station, Tukaramgate, Secunderabad.

5. M/s.Trireme Infrastructure Private Limited, A company Incorporated under the companies Act, 1956, having its Registered Office at Flat No.401, Royal Arcade, Balkampet, above State Bank of India, Balkampet Branch, S.R.Nagar, Hyderabad - 500038. Represented by its Directors,
 - a. Smt. Panjugula Kavitha W/o. Sri. P. Tejvardhan reddy Aged about 42 years, Occupation. Business, R/o. Flat No.101, Sowbhagya Sadan Apartment, Road No. 5, Banjara Hills, Hyderabad - 500034.
 - b. Sri Manchala Srinivas S/o. Sri M.Mallesham, Aged about 44 years, Occupation. Business, R/o.H.No.3-6-504/A, Flat No.401, Balaji J.M.Dayama Mansion, Street No.7, Himayath Nagar, Hyderabad.

6. Smt.Sara Mehdi, D/o. Sri Latif Mehdi Aged about 64 years, Occupation. Housewife C/o.B.Satyanarayana Murthy, Venugopal and Chenoey, Chartered Accountants, Tilak Road, Hyderabad

Represented by her G.P.A.Holder (vide Doc.No.70/IV/2011) Sri Ganta Venkata Subba Reddy, S/o. Sri Venkataswamy Reddy Aged about 58 years, Occupation. Business, R/o.Flat No.402, Vaishav TNR Apartments, Plot No.10-1-18, Road No.9, West Marredpally, Secunderabad - 500026.

7. Ms.P.N.Chenoy, D/o.N.S.Chenoy, Aged about 78 years, Occ. Retired Professor, R/o.H.No.143/1, Macintyre Road, Prendergast Road, Secunderabad, Presently at Flat No.401, Ward No.10, Block-3, Sy.No.74/8, East Marredpally, Secunderabad.
8. Sri G.Bhuvaneshwar, S/o Late G.Chandram Aged about 58 years, Occupation. Business R/o.6/76, Plot No. G-10, Dollor Hills, Puppalguda Rajendra Nagar Mandal, Ranga Reddy District - 500089.
9. Sri. G Suresh Chander, S/o, Late Sri G Chandram, aged about 57 years, Occ. Business. R/o. Sy.No.86/E, Next to Vishnu Education Development Innovation Center, Aziz Nagar, K.V.Ranga Reddy District-75.
- 10.Nasreen Begum, W/o. Late Mr.Mohammed Abdul Nasser Aged about 50 years, R/o.H.No.8-1-21/65, Surya Nagar Colony, Shaikpet, Hyderabad-500008.
- 11.Mahejabeen Naseer, D/o Late Mohammed Abdul Naseer Aged about 34 years, R/o.H.No.8-1-21/65, Surya Nagar Colony, Shaikpet, Hyderabad-500008. Represented by her G.P.A holder (Validation No.8701/E1-val/2018 dt.06/12/2018 by D.R, Hyd) Smt.Nasreen Begum, D/o. Sri Hameed Ullah Khan, Aged about 51 years, R/o.H.No.8-1-21/65, Ground Floor, Surya Nagar Colony, Tolichowki, Hyderabad- 500008.
- 12.Mohammed Abdul Azeem, S/o. Late Mohammed Abdul Nasser Aged about 33 years, R/o.H.No.8-1-21/65, Surya Nagar Colony, Shaikpet, Hyderabad-500008.
- 13.Mohammed Azam, S/o. Late Mohammed Abdul Nasser Aged about 32 years, R/o.H.No.8-1-21/65, Surya Nagar Colony, Shaikpet, Hyderabad- 500008.

14. Mohammad Ismail Zabee, S/o. Late Mohammed Abdul Musavir Aged about 44 years, Occupation. Business R/o.H.No.6-1-21/7, Surya Nagar Colony, Tolichowki, Hyderabad - 500008.
15. M/s. AARTHI CONSTRUCTIONS, Represented by its Managing Partner Sri G.Bhuvaneshwar, S/o Late G.Chandram Aged about 58 years, Occupation. Business R/o.6/76, Plot No. G-10, Dollor Hills, Puppalguda Rajendra Nagar Mandal, Ranga Reddy District - 500089.
16. Sri. Chalavadi Malli Kharjana Rao, S/o. Late Ch. Jamalaish, aged about 76 years, Occ. Business, R/ o. 54-18-3/4, Bharat Gas Lane, ITI College, Near Ramesh Hospital Road, Sivapuram Colony, Vijayawada, Andhra Pradesh. 520 008
17. Sri. K. Sravan Kumar Reddy, S/o. Sri K. Siva Reddy, aged about 42 years, Occupation. Business, R/o. Flat.No.201, Pearl Creek Apartments, Somajiguda, Hyderabad.

...RESPONDENTS

I.A. 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 direct the second respondent Commissioner, Greater Hyderabad Municipal Corporation, to forth with stop the illegal construction pursuant to the fraudulent building permit order dated 08.07.2025 vide., permit No.5386/GHMC/SEC/2025-BP, by suspending the same pending disposal of the main Writ Appeal.

**Counsel for the Appellants: SRI B. VENKATESHWAR RAO REP. FOR
SRI M.V. DURGA PRASAD**

**Counsel for the Respondent No.1: GP FOR MUNICIPAL ADMINISTRATION &
URBAN DEVELOPMENT**

**Counsel for the Respondent No.2: SRI G. MADHUSUDHAN REDDY,
SC FOR GHMC**

Counsel for the Respondent No.3: GP FOR REVENUE

Counsel for the Respondent No.4: GP FOR HOME

**Counsel for the Respondent No.6 to 8 & 15: SRI KISHORE RAI, SR. COUNSEL
REP. FOR Ms. DIVYA RAI SOHNI**

**Counsel for the Respondent No.9: SRI V. RAVI KIRAN RAO REP. FOR
SRI V. ROHIT**

Counsel for the Respondent No.5 & 10 to 14: - - -

WA NO: 784 OF 2026

Writ Appeal under clause 15 of the Letters Patent Appeal Against the Order dated 10/07/2026 in W P No 28418 OF 2021 on the file of the High Court.

Between:

1. Sri S.Srinivas Rao, S/o. Late S.P.Eshwar Rao, Aged 50 years, Occupation. Business, R/o. Plot No.150, Ravi Colony, Mahendra Hills, Secunderabad-500 026
2. Sri Sesham Shiva Ram Prasad, S/o. Late S.P. Eshwar Rao, Aged about 48 years, Occupation. Business, R/o.Suit No.4.02, 343 Little Collins Street, Melbourne 3000, Australia.
3. Dr.Uma Rani Panganamula, W/o Dr. Kashyap V Panaganamamula, D/o. Late S.P.Eshwar Rao, Aged about 51 years, Occupation. Doctor, R/o 3 Windermere Drive, Moorestown, New Jersey 08057, U.S.A.

Second and third Petitioners are represented by their G.P.A.Holder and the first Petitioner who is none other than their brother.

...APPELLANTS

AND

1. State of Telangana, Represented by its Principal Secretary Revenue Department, Secretariat, Hyderabad, Telangana - 500038.
2. The District Collector, Hyderabad - 500063.
3. The Revenue Divisional Officer, Secunderabad Division, Secunderabad
4. The Tahsildar, Marredpally Mandal, Hyderabad District
5. M/s.Trireme Infrastructure Private Limited, A company Incorporated under the companies Act, 1956, having its Registered Office at Flat No.401, Royal Arcade, Balkampet, above State Bank of India, Balkampet Branch, S.R.Nagar, Hyderabad - 500038. Represented by its Directors,

(a)Smt.PanjugulaKavitha, W/o. Sri P.Tejvardhan Reddy, Aged about 42 years, Occupation Business, R/o. Flat No.101,SowbhagyaSadan Apartment, Road No. 5, BanjaraHills,Hyderabad - 500034.

(b) Sri Manchala Srinivas S/o. Sri M.Mallesham, Aged about 44 years, Occupation Business, R/o.H.No.3-6-504/A. Flat No.401, BalajiJ.M.Dayama Mansion, Street No.7, Himayath Nagar, Hyderabad.

6. Smt. Sara Mehdi, D/o. Sri Latif Mehdi Aged about 64 years, Occupation. Housewife C/o.B.Satyanarayana Murthy, Venugopal and Chenoey, Chartered Accountants, Tilak Road, Hyderabad

Represented by her G.P.A.Holder (vide Doc.No.70/IV/2011) Sri Ganta Venkata Subba Reddy, S/o. Sri Venkataswamy Reddy Aged about 58 years, Occupation. Business, R/o.Flat No.402, Vaishav TNR Apartments, Plot No.10-1-18, Road No.9, West Marredpally, Secunderabad - 500026

7. Ms.P.N.Chenoy, D/o.N.S.Chenoy, Aged about 78 years, Occ Retired Professor, R/o.H.No.143/1, Macintyre Road, Prenderghat Road,

Secunderabad, Presently at Flat No.401, Ward No.10, Block-3, Sy.No.74/8, East Marredpally, Secunderabad

8. Sri G.Bhuvaneshwar, S/o Late G.Chandram Aged about 58 years, Occupation Business R/o.6/76, Plot No.G-10, Dollor Hills, Puppalguda Rajendra Nagar Mandal, Ranga Reddy District - 500089.
9. Sri G.Suresh Chander, S/o.Late G.Chandram Aged about 54 years, Occupation Business R/o.Flat No.G-101, B-Block, Mahmood Habib Apartments, Road No.9, Hyderabad - 500034.
- 10.Nasreen Begum, W/o.Late Mr.Mohammed Abdul Nasser Aged about 50 years, R/o.H.No.8-1-21/65, Surya Nagar Colony, Shaikpet, Hyderabad - 500008.
- 11.Mahejabeen Naseer, D/o Late Mohammed Abdul Naseer Aged about 34 years, R/o.H.No.8-1-21/65, Surya Nagar Colony, Shaikpet, Hyderabad - 500008. Represented by her G.P.A Holder, (Validation No.8701/E1-val/2018 dt.06/12/2018 by D.R, Hyd), Smt.Nasreen Begum, D/o. Sri Hameed Ullah Khan, Aged about 51 years, R/o.H.No.8-1-21/65, Ground Floor, Surya Nagar Colony, Tolichowki, Hyderabad - 500008.
- 12.Mohammed Abdul Azeem, S/o.Late Mohammed Abdul Nasser, Aged about 33 years, R/o.H.No.8-1-21/65, Surya Nagar Colony, Shaikpet, Hyderabad - 500008.
- 13.Mohammed Azam, S/o.Late Mohammed Abdul Nasser Aged about 32 years, R/o.H.No.8-1-21/65, Surya Nagar Colony, Shaikpet, Hyderabad - 500008.
- 14.Mohammad Ismail Zabee, S/o.Late Mohammed Abdul Musavir, Aged about 44 years, Occupation Business R/o.H.No.6-1-21/7, Surya Nagar Colony, Tolichowki, Hyderabad - 500008.

...RESPONDENTS

**Counsel for the Appellants: SRI B. VENKATESHWAR RAO REP. FOR
SRI M.V. DURGA PRASAD**

Counsel for the Respondent No.1 to 4: GP FOR REVENUE

**Counsel for the Respondent No.5 to 8: SRI KISHORE RAI, SR. COUNSEL
REP. FOR Ms. DIVYA RAI SOHNI**

**Counsel for the Respondent No.9: SRI V. RAVI KIRAN RAO REP. FOR
SRI V. ROHIT**

Counsel for the Respondent No.10 to 14: - - -

WA NO: 785 OF 2026

Writ Appeal under clause 15 of the Letters Patent Appeal Against the Order dated 14/07/2026 in WP No 33 OF 2021 on the file of the High Court.

Between:

1. Sri S.Srinivas Rao, S/o. Late S.P.Eshwar Rao, Aged 50 years, Occupation. Business, R/o. Plot No.150, Ravi Colony, Mahendra Hills, Secunderabad-500 026.
2. Sri Sesham Shiva Ram Prasad, S/o. Late S.P. Eshwar Rao, Aged about 48 years, Occupation. Business, R/o.Suit No.4.02, 343 Little Collins Street, Melbourne 3000, Australia.
3. Dr.Uma Rani Panganamula, W/o Dr. Kashyap V Panaganamamula, D/o. Late S.P.Eshwar Rao, Aged about 51 years. Occupation. Doctor, R/o 3 Windermere Drive, Moorestown, New Jersey 08057, U.S.A.

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AND

1. State of Telangana, Represented by its Principal Secretary Municipal Administration and Urban Development, 4th ,365th Floor, 640, A.C.Guards, Masab Tank, Opp. PTI Building, Hyderabad, Telangana - 500038. E-Mail. prlsecy maudtelangana.gov.in
2. Greater Hyderabad Municipal Corporation, Represented by its Commissioner, CC Complex, Tank Bund Road, Lower Tank Bund, Hyderabad - 500063. E-Mail. commissioner@ghmc.gov.in
3. The Tahsildar, Marredpally Mandal, Hyderabad District
4. The Station House Officer, Police Station, Tukaramgate, Secunderabad.
5. M/s.Trireme Infrastructure Private Limited, A company Incorporated under the companies Act, 1956, having its Registered Office at Flat No.401, Royal Arcade, Balkampet, above State Bank of India, Balkampet Branch, S.R.Nagar, Hyderabad - 500038. Represented by its Directors,
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8. Sri G.Bhuvaneshwar, S/o Late G.Chandram Aged about 58 years, Occupation. Business R/o.6/76, Plot No. G-10, Dollor Hills, Puppalguda Rajendra Nagar Mandal, Ranga Reddy District - 500089.
9. Sri. G Suresh Chander, S/o, Late Sri G Chandram, aged about 57 years, Occ. Business, R/o. Sy.No.86/E, Next to Vishnu Education Development, Innovation Center, Aziz Nagar, K.V.Ranga Reddy District-75.
10. Nasreen Begum, W/o. Late Mr.Mohammed Abdul Nasser Aged about 50 years, R/o.H.No.8-1-21/65, Surya Nagar Colony, Shaikpet, Hyderabad-500008.
11. Mahejabeen Naseer, D/o Late Mohammed Abdul Naseer Aged about 34 years, R/o.H.No.8-1-21/65, Surya Nagar Colony, Shaikpet, Hyderabad-500008. Represented by her G.P.A holder (Validation No.8701/El-val/2018 dt.06/12/2018 by D.R, Hyd), Smt.Nasreen Begum, D/o.Sri Hameed Ullah Khan, Aged about 51 years, R/o.H.No.8-1-21/65, Ground Floor, Surya Nagar Colony, Tolichowki, Hyderabad- 500008.
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13. Mohammed Azam, S/ o. Late Mohammed Abdul Nasser Aged about 32 years, R/o.H.No.8-1-21/65, Surya Nagar Colony, Shaikpet, Hyderabad- 500008.
14. Mohammad Ismail Zabee, S/o. Late Mohammed Abdul Musavir Aged about 44 years, Occupation. Business R/o.H.No.6-1-21/7, Surya Nagar Colony, Tolichowki, Hyderabad - 500008.

...Respondents/Respondents

**Counsel for the Appellants: SRI B. VENKATESHWAR RAO REP. FOR
SRI M.V. DURGA PRASAD**

**Counsel for the Respondent No.1: GP FOR MUNICIPAL ADMINISTRATION &
URBAN DEVELOPMENT**

**Counsel for the Respondent No.2: SRI G. MADHUSUDHAN REDDY,
SC FOR GHMC**

Counsel for the Respondent No.3: GP FOR REVENUE

Counsel for the Respondent No.4: GP FOR HOME

**Counsel for the Respondent No.5 to 8: SRI KISHORE RAI, SR. COUNSEL
REP. FOR Ms. DIVYA RAI SOHNI**

Counsel for the Respondent No.9 to 14: - - - -

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

WRIT APPEAL Nos.782, 784 and 785 of 2026

DATE: 31 .08.2026

W.A.No.782 of 2026

Between:

S.Srinivas Rao and 2 others

....Appellants

And

The State of Telangana,
Rep. by its Principal Secretary
and 16 others

....Respondents

W.A.No.784 of 2026

Between:

S.Srinivas Rao and 2 others

....Appellants

And

The State of Telangana,
Rep. by its Principal Secretary
and 13 others

....Respondents

W.A.No.785 of 2026

Between:

S.Srinivas Rao and 2 others

....Appellants

And

The State of Telangana,
Rep. by its Principal Secretary
and 13 others

....Respondents

COMMON JUDGMENT

Since the issues that arise in the above writ appeals are integrally one and the same concerning title and building permissions over adjacent survey numbers, the writ appeals are being disposed of by this Common Judgment.

2. These three connected writ appeals are preferred under Clause 15 of the Letters Patent against common order dated 10.07.2026 in W.P.No.33 of 2021; W.P.No.28418 of 2021 and W.P.No.37346 of 2025. By the said common order, the learned Single Judge dismissed the underlying writ petitions filed by the appellants herein, while granting liberty to them to approach the competent Civil Court for adjudication of their title claims.

3. Heard Mr.B.Venkateshwar Rao, learned counsel representing Mr.M.V.Durga Prasad, learned counsel for the appellants; Mr. G. Madhusudhan Reddy, learned Standing Counsel for Greater Hyderabad Municipal Corporation (GHMC), appearing for respondent No.2 in W.A.Nos.782 and 785 of 2026; Mr.Kishore Rai, learned Senior Counsel representing Ms.Divya Rai Sohni, learned counsel for respondent Nos.6 to 8 and 15 in W.A.No.782 of 2026 and respondent Nos.5 to 8 in W.A.Nos.784 and 785 of 2026; Mr.V.Ravi Kiran Rao, learned Senior Counsel representing Mr.V.Rohit, learned counsel for respondent No.9 in W.A.Nos.782 and 784 of 2026 and perused the record.

Factual matrix

4. The appellants trace their title through Late Sri S.P. Eswara Rao, who they claim purchased the land admeasuring approximately 2,935 Sq. Yds in Sy.No.74/8, Mahendra Hills, East Marredpally, Secunderabad. An agreement of sale dated 31.07.1967 was entered into in respect of the said property and upon failure to execute the sale deed, a suit *vide* O.S.No.497 of 1993 was filed by the appellants' father seeking specific performance of the said agreement. The suit was decreed on 04.09.1995. As the sale deed was not executed pursuant to the decree, proceedings in E.P.No.88 of 1997 were initiated, pursuant to which the executing Court executed a sale deed dated 21.02.1998, registered as Doc.No.2134 of 1999. Proceedings for delivery of possession were thereafter pursued, and possession was recorded as having been delivered to the appellants' father through the Court Bailiff on 25.08.2012.

5. Proceedings under Section 145 of the Cr.P.C. were initiated by the Revenue Divisional Officer (RDO) in relation to the property. Challenging the said proceedings, W.P.No.27734 of 2012 was filed by the appellants' father before this Court. By order dated 04.09.2012, this Court directed maintenance of *status quo*.

6. Subsequently, the State of Andhra Pradesh had filed land grabbing case LGC.No.167 of 1997 claiming the entire land in Sy.No.74 as Government land. The Special Court dismissed the

said L.G.C on 18.03.2010, holding that the State had failed to establish its claim and that the land in Sy.No. 74/9 belonged to Syed Ali Abbas. The said judgment was confirmed by a Division Bench of this Court in W.P.No.19106 of 2010 on 28.05.2025.

7. The dispute also concerns Plot Nos.45 and 46, measuring approximately 500 Sq. Yds and 550 Sq. Yds, respectively. The respondents trace their rights in the said plots through Ms. P.N. Chenoy and Smt. Sara Mehdi, respectively, and rely upon sale deeds executed by Seva Mandal Society in 1990, bearing Doc.Nos.455 and 457 of 1990; followed by conveyance deeds executed in 2009, bearing Doc.Nos.1318 of 2009 and 2328 of 2009. The respondents' documents describe the plots as falling in Sy.No.74/9, whereas the appellants' documents relate to land described as Sy.No.74/8.

8. In the year 2012, a building permission bearing No.17994/HO/N7/Cir-18/2012 dated 15.12.2012 was issued in relation to Plot Nos.45 and 46. The said permission was subsequently stated to have lapsed. A further application for building permission was submitted in 2021 and was rejected by GHMC by order dated 08.11.2021. The rejection order was challenged by the concerned respondents in W.P.No.28449 of 2021, which was later withdrawn on 25.02.2026.

9. On 12.07.2024, the unofficial respondents entered into a Tripartite Development Agreement-cum-General Power of Attorney

(DA-cum-GPA) was registered as Doc.No.2172/2024 and a Mortgage Deed as Doc.No.1946/2025 in favour of M/s. Aarthi Constructions. On this basis, a fresh building permission application was submitted on 17.12.2024. In processing the application, GHMC obtained a legal opinion dated 06.11.2024 and also considered a report of the Special Deputy Collector/Land Acquisition Officer dated 21.01.2025, and thereafter GHMC granted a building permission bearing No.5386/GHMC/SEC/2025-BP on 08.07.2025 in respect of Plot Nos.45 and 46, described in the permission as being situated in Sy.No.74/9.

10. Aggrieved by the aforesaid, the appellants filed the underlying three writ petitions namely, W.P.No.33 of 2021 questioning the inaction of GHMC on their representation for revocation of the 2012 permit; W.P.No.28418 of 2021 seeking revocation of the conveyance deeds (Doc.Nos.1318 of 2009 and 2328 of 2009), alleging that they were obtained by fraud; and W.P.No.37346 of 2025 was filed challenging the building permission dated 08.07.2025.

11. Upon consideration of the pleadings and material placed on record, the learned Single Judge *vide* common order dated 10.07.2026 dealt with the competing claims concerning the subject property and the building permission granted by GHMC. The writ Court held that disputed questions of title and fact could not be

adjudicated in the writ proceedings and that GHMC was required to proceed on the basis of *prima facie* title for the limited purpose of considering the building-permission application. The writ petitions were accordingly dismissed, leaving the parties to pursue their respective rights and remedies before the competent forum.

12. Aggrieved by the said common order dated 10.07.2026, the appellants have preferred the present writ appeals.

Submissions on behalf of the appellants

13. Learned counsel appearing for the appellants, have advanced the following submissions:

- i) That the impugned building permission dated 08.07.2025 could not have been granted in respect of the subject property in view of the *status quo* order passed by this Court on 04.09.2012 in W.P.No.27734 of 2012. It was submitted that the said order continued to operate in respect of the property claimed by the appellants in Sy.No.74/8.
- ii) That GHMC had earlier rejected the building-permission application on 08.11.2021, after taking into consideration the objections relating to the property. It was argued that, in the absence of any statutory power of review, GHMC could not have subsequently entertained a fresh application in respect of the same property and granted building

permission without first addressing the circumstances which had led to the earlier rejection.

- iii) That the unofficial respondents challenged the rejection order dated 08.11.2021 in W.P.No.28449 of 2021, which was subsequently withdrawn on 25.02.2026 without liberty to institute fresh proceedings. Learned counsel contended that such withdrawal rendered the rejection order final and barred re-agitation of the same subject matter. It was further submitted that the subsequent application for building permission, based on the same property and underlying claim, was impermissible and amounted to a review of the earlier rejection order, despite no statutory power of review being vested in GHMC.
- iv) By placing reliance upon the judgment in L.G.C.No.32 of 2011, stated to have been affirmed in W.P.No.13507 of 2013, it is submitted that the conveyance deeds relied upon by GHMC in considering the building-permission application had already been held to be void. It was further submitted that respondent Nos.6 and 7 were parties to the said proceedings and, consequently, estopped from relying upon the said instruments to establish even a *prima facie* title for the purpose of obtaining building permission.

- v) That the Commissioner of GHMC was required to independently examine the existence of *prima facie* title, possession and identification of the property while considering the building-permission application. It was argued that obtaining a legal opinion on the essential statutory question and proceeding on the basis thereof amounted to an abdication of the statutory function vested in the Commissioner.
- vi) That the impugned building permission was granted without notice to the appellants, notwithstanding the objections raised by them and the undertaking recorded in the counter-affidavit filed by the GHMC Commissioner in W.P.No.33 of 2021 that, in the event of a further application, the aspects raised by the appellants would be examined. Learned counsel contended that failure to consider the appellants' objections and to afford them an opportunity before grant of the permission violated the principles of natural justice.

Submissions on behalf of the respondents

14. The learned counsel appearing for the respondents have advanced the following submissions:

- i) That the parties claim title over lands situated in different survey numbers. According to the respondents, the appellants' property is situated in Sy.No.74/8, whereas the

respondents' property is situated in Sy.No.74/9. It was therefore submitted that the *status quo* order passed in W.P.No.27734 of 2012, insofar as it concerns Sy.No.74/8, has no application to the respondents' property in Sy.No.74/9.

- ii) That while considering an application for building permission, GHMC is required to examine only the applicant's *prima facie* title and possession and is not competent to adjudicate complex questions of title. The respondents relied upon their chain of title documents, including the registered sale deeds executed by Seva Mandal Society and the subsequent conveyance deeds executed by the Government, to establish their *prima facie* title.
- iii) That the respondents had made substantial investments pursuant to the building permission, including construction of multiple floors and sale of flats to third parties, and that occupancy certificates had been issued in respect thereof. It was also submitted that a mortgage deed had been executed in favour of GHMC in respect of a portion of the built-up area. On this basis, learned counsel contended that the appellants have an efficacious remedy before the competent Civil Court and that the disputed questions of title cannot be adjudicated in writ proceedings.

- iv) That the rejection order dated 08.11.2021 did not constitute a final adjudication of the parties' title or entitlement to building permission. The subsequent application was stated to be a fresh application, submitted through M/s.Aarthi Constructions, along with the requisite documents and undertakings, and was therefore capable of being considered afresh by GHMC. It was further submitted that the withdrawal of W.P.No.28449 of 2021 without liberty did not operate as *res judicata*, since the writ petition had not been adjudicated on merits.

15. We have taken note of the respective submissions urged and the material placed on record, including written submissions.

Consideration by this Court

16. The fulcrum of the present dispute revolves around the precise scope and ambit of GHMC's jurisdiction. Specifically, the question that falls for consideration is whether, while entertaining an application for buildings permission, the authority of the GHMC is confined to *prima facie* examination of the applicant's title and possession, or whether such scrutiny extends to the adjudication of complete and disputed questions of title. The statutory framework requires the Commissioner to examine the applicant's entitlement, including the existence of *prima facie* title and possession, for the limited purpose of considering the application. The Commissioner, however, is not a Civil Court and is not

required to adjudicate complex or disputed questions of title. The enquiry is confined to determining whether the applicant has established a *prima facie* basis for claiming title and possession sufficient for consideration of the building-permission application.

17. The learned Single Judge, upon consideration of the competing claims, has rightly found that there was a serious dispute regarding the identity and location of the subject property, particularly whether the property claimed by the respective parties falls in Sy.No.74/8 or Sy.No.74/9. The appellants rely upon their chain of title arising from the decree in O.S.No.497 of 1993 and claim the subject land in Sy.No.74/8. The respondents, on the other hand, rely upon a separate chain of title originating from Seva Mandal Society and the subsequent Government conveyance deeds, and claim that Plot Nos.45 and 46 are situated in Sy.No.74/9.

18. The GHMC considered the documents placed before it, including the registered sale deeds, conveyance deeds and development documents, has arrived at a finding that the applicants had established *prima facie* title and possession for the limited purpose of granting building permission. The learned Single Judge has rightly held that GHMC could not, in the course of such proceedings, adjudicate the competing claims of title. This Court is also of the view that the GHMC cannot be expected to adjudicate

disputed questions of title, particularly where the rival claims arise from different survey numbers and distinct chains of title.

19. The appellants have alleged fraud and misrepresentation on the part of the respondents in obtaining the impugned building permit. They argue that the respondents suppressed the fact of the pending litigation and the rejection order dated 08.11.2021. However, a perusal of the record reveals that GHMC was fully aware of the pendency of W.P.No.33 of 2021 and the objections raised by the appellants. GHMC specifically obtained a legal opinion, which considered the relevant litigation and the earlier rejection order. The Zonal Commissioner, while granting the building permission, proceeded on the basis that the earlier proceedings related to Sy.No.74/8, whereas the application under consideration related to Sy.No.74/9. In this regard, this Court is of the view that GHMC did not act mechanically or in a collusive manner, but exercised its discretion after due application of mind and after obtaining the requisite opinions from the revenue authorities. Therefore, the allegation of fraud is not borne out by the material on record, and the dispute is essentially a title dispute, for which the Civil Court is the proper forum for adjudication.

20. The appellants submissions that the rejection of the application on 08.11.2021 operates as *res judicata* and bars the grant of fresh permission, cannot be countenanced. It is to be

noted that the rejection was based on the observation that a legal dispute was pending and that the matter was therefore deferred. The said order did not constitute an adjudication on the merits of the title; rather, it was a decision based on the pendency of the litigation.

21. Moreover, the fresh application was made by different entities. The original applicant, M/s. Trireme Infrastructure Private Limited, had entered into a Tripartite Development Agreement, under which its rights were assigned to the new developer, M/s. Aarthi Constructions. The principles of *res judicata*, being strict in nature, require that the issue be heard and finally decided on merits. Since the earlier rejection was not an adjudication on merits, the Doctrine of *Res Judicata* cannot be invoked. Furthermore, the withdrawal of W.P.No.28449 of 2021 without liberty does not, by itself, bar the filing of a fresh application on a different cause of action, particularly where the circumstances have changed.

22. It is pertinent to note that the appellants reliance on the *status quo* order dated 04.09.2012 in W.P.No.27734 of 2012 contending that the construction covered by the impugned building permit is impermissible, does not merit acceptance. A perusal of the said order and the pleadings in the writ petition indicates that the *status quo* order was confined to the land in Sy.No.74/8,

whereas the impugned building permit was granted in respect of land situated in Sy.No.74/9.

23. Further, the respondents have placed on record, documents in support of their claim that the subject property falls in Sy.No.74/9, including sale deeds executed by Seva Mandal Society, conveyance deeds executed by the Government, and layout approvals issued by GHMC. The appellants, on the other hand, have not been able to demonstrate that the land in Sy.No.74/9 is the same as the land they claim in Sy.No.74/8. In this regard, the learned Single Judge has correctly noted that the *status quo* order relating to Sy.No.74/8 could not be extended to the property described as falling in Sy.No.74/9. Moreover, the respondents were not parties to W.P.No.27734 of 2012 and, therefore, could not be treated as bound by an order passed in proceedings concerning the appellants' claim in respect of Sy.No.74/8.

24. The appellants argument that the conveyance deeds were held to be void in L.G.C.No. 32 of 2011, in which respondent Nos. 6 and 7 were parties, also does not merit consideration. In the said LGC proceedings, the applicants claimed title to land in Sy.No.74/8 through Mansab Jung. The Special Court dismissed the L.G.C on the ground that the applicants had failed to establish their title to the application schedule property. The Division Bench of this Court, in W.P.No.13507 of 2013, affirmed the said judgment, wherein it was clarified that the question of title between

the claimants in respect of Sy.Nos.74/8 and 74/9 did not arise for determination in those proceedings. The Court's determination was confined to the applicants' failure to establish their title to the application schedule property in Sy.No.74/8. It did not conclusively determine the validity of the conveyance deeds in favour of the respondents herein so as to operate as a binding determination on the question of title in a separate proceeding. Thus, reliance on L.G.CNo.32 of 2011 is misplaced.

25. In view of the above, this Court finds that the appellants have approached the wrong forum. The core dispute between the parties is one of title. Both parties claim ownership over lands situated in different survey numbers. GHMC has merely granted building permission on the basis of *prima facie* title. It is the Civil Court that has jurisdiction to adjudicate the complex questions of title, particularly where the dispute concerns the identity of the land and the validity of the respective chains of title. Therefore, the learned Single Judge was justified in dismissing the writ petitions and leaving it open to the appellants to approach the competent Civil Court.

Conclusion

26. For the foregoing reasons, this Court is of the considered view that the learned Single Judge was correct in holding that the GHMC acted within the scope of its statutory powers in granting building permission on the basis of *prima facie* title; that the *status*

quo order operating in respect of Sy.No.74/8 does not extend to or operate upon the land comprised in Sy.No.74/9; and that the disputed questions concerning title and ownership cannot appropriately be adjudicated in proceedings under Article 226 of the Constitution, the competent civil court being the proper forum for determination of such disputes.

27. For the foregoing reasons, the Writ Appeals are dismissed. The common order dated 10.07.2026 passed by the learned Single Judge in W.P.No.33 of 2021; W.P.No.28418 of 2021 and W.P.No.37346 of 2025 is hereby affirmed. The appellants shall, however, be at liberty to approach the competent civil court for establishment of their rights, title, and interest in respect of the subject property and to seek such appropriate relief as may be available to them in law.

Consequently, miscellaneous petitions pending if any shall stand closed. No costs.

//TRUE COPY//

SD/- MOHD ISMAIL
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. One CC to SRI M.V. DURGA PRASAD, Advocate [OPUC]
2. One CC to SRI G. MADHUSUDHAN REDDY, SC FOR GHMC [OPUC]
3. One CC to Ms. DIVYA RAI SOHNI, Advocate [OPUC]
4. One CC to SRI V. ROHIT, Advocate [OPUC]
5. Two CCs to GP FOR REVENUE, High Court for the State of Telangana. [OUT]
6. Two CCs to GP FOR HOME, High Court for the State of Telangana. [OUT]
7. Two CCs to GP FOR MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT, High Court for the State of Telangana. [OUT]
8. Two CD Copies

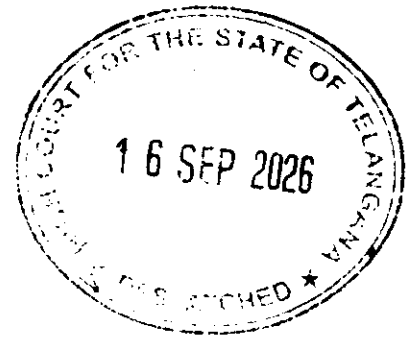
BN
TKS

HIGH COURT

DATED: 31/08/2026

COMMON JUDGMENT

WA.Nos.782, 784 & 785 OF 2026



**DISMISSING ALL THE WRIT APPEALS
WITHOUT COSTS**

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16/9/26