

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

**WEDNESDAY, THE NINTH DAY OF SEPTEMBER
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: 984 OF 2026

Writ Appeal under clause 15 of the Letters Patent Writ Appeal preferred against the order dated 19.08.2026 in WP.No. 26040 of 2026 on the file of the High Court.

Between:

1. Sri. Muppaneni Rakesh, S/o. Muppaneni Surendranath, Aged about. 34 years, Occ. Employee, R/o. H.No. 1006/EWS, KPHB Colony, Kukatpally, Hyderabad.
2. Uppalapati Praneeth,, S/o. Uppalapati Venkata Sai Babu, Aged about 37 years, Occupation. Employee, R/o. H.No. 17-1-391/S/459, Singareni Colony, Saidabad, Hyderabad. Represented by their Registered Development Agreement-Cum-General Power of Attorney
3. Alluri Pullam Raju, S/o Sri. Alluri Venkata Satyanarayana Raju, Age 51 years. Occupation. Business, R/o. H. No. 1-2-47/4G/15, Flat No.15, Subhodaya Colony, Hydernagar, Kukatpally, Hyderabad-500085
4. Pilli Siddaiah, S/o. Sri. Pilli Osaiah, Aged about 44 years, Occupation. Business, Rio. H.No. 1-86/1, Guttala Begumpet, Madhapur, Hyderabad-500081.

...APPELLANTS/PETITIONERS

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Hyderabad.
2. The State of Telangana, Rep. by its Principal Secretary, Energy Department, Secretariat, Hyderabad.
3. Greater Hyderabad Municipal Corporation (GHMC), Rep. by its Commissioner, GHMC Head Office, Tank Bund Road, Hyderabad.
4. The Zonal Commissioner, Kukatpally Zone, Circle No.23, Medchal-Malkajgiri District.
5. The Deputy Commissioner, GHMC, Moosapet Circle-23, Kukatpally Zone, Hyderabad.
6. The Chairman and Managing Director, Telangana Southern Power Distribution Company Limited (TGSPDCL), Corporate Office, Mint Compound, Hyderabad.

7. The Chief General Manager, TGSPDCL, Corporate Office, Mint Compound, Hyderabad
8. The Superintending Engineer (Operation), Cyber City Circle, TGSPDCL, Hyderabad.
9. The Divisional Engineer (Operation), Gachibowli Division, TGSPDCL, Hyderabad.
10. The Assistant Divisional Engineer (Operation), Chandanagar, TGSPDCL, Hyderabad.
11. Hyderabad Metropolitan Water Supply and Sewerage Board, (HMWSSB), Rep. by its Managing Director, Khairatabad, Hyderabad.
12. IDPL Employees Co-operative Housing Society Ltd, Rep. by its President, TBC-868, Vasanthanagar Colony, Kukatpally, 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 suspend the operation of the order dated 19.08.2026 passed in W.P.No.26040 of 2026, pending disposal of the above Writ Appeal.

Counsel for the Appellant: SRI. D KAVAL KUMAR

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

Counsel for the Respondent No.2: SRI P. GANESH, GP FOR ENERGY

**Counsel for the Respondent Nos. 3to5: SRI M. SANDEEP FOR
SRI K. RAVI MAHENDER, SC FOR GHMC**

**Counsel for the Respondent Nos. 6to10: SRI N. SREEDHAR REDDY,
SC FOR TSPDCL**

**Counsel for the Respondent No.11: SRI A. VEERESH KUMAR,
SC FOR HMWSB**

Counsel for the Respondent No.12:--

The Court made the following: 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 No. 984 of 2026
(CNR No. HBHC010609292026)

DATED : 09.09.2026

Between:

Sri Muppaneni Rakesh and another

... Appellants

AND

The State of Telangana and eleven others

... Respondents

JUDGMENT:

Dr. D. Kaval Kumar, learned counsel appears for appellants.

Sri P. Ganesh, learned Government Pleader for Energy appears for respondent No.2.

Sri M. Sandeep, learned counsel appears for Sri K. Ravi Mahender, learned Standing Counsel for Greater Hyderabad Municipal Corporation for respondent Nos.3 to 5.

Sri N. Sreedhar Reddy, learned Standing Counsel for Southern Power Distribution Company of Telangana Limited appears for respondent Nos.6 to 10.

Sri A. Veeresh Kumar, learned Standing Counsel for Hyderabad Metropolitan Water Supply and Sewerage Board appears for respondent No.11.

2. The appellants/writ petitioners are availing electricity service connection in category-VIII which is provided for construction purposes by the respondent electricity company. They filed Writ Petition No.26040 of 2026 for conversion of electricity service connection from category VIII to category I and continuation of the electricity and water supply. *Vide* order dated 19.08.2026, the learned writ Court after taking note of the fact that no occupancy certificate has been issued for the constructed residential building consisting of stilt + four upper floors and that the appellants had filed an application before the respondent Corporation for regularization of unauthorized construction under Sections 455A and 455AA of the Greater Hyderabad Municipal Corporation Act, 1955 (for short 'the Act'), but the same is not yet granted, dismissed the Writ Petition holding that the appellants had not obtained the requisite occupancy certificate. Therefore, the appellants had filed the present Writ Appeal.

3. Learned counsel for the appellants submits that pending disposal of the application for regularization of unauthorized construction by the respondent Corporation, the respondent electricity company has been requested to convert the electricity service connection from category VIII to category I which has been erroneously denied. The respondent Corporation had been approached for regularization of the unauthorized construction after it had initiated proceedings under Section 461A of the

Act alleging unauthorized excess construction and sealed the building which was the subject matter of challenge in Writ Petition No.12018 of 2025 disposed of on 13.08.2025. Therefore, the representation of the appellants for conversion of the electricity service connection from category VIII to category I and continuation of electricity and water supply should have been allowed by the learned writ Court.

4. Learned counsel for the respondent electricity company has relied upon the decision of the Apex Court in **Rajendra Kumar Barjatya and another v. U.P. Avas Evam Vikas Parishad and Others**¹ and reiterated his submission that in the absence of occupancy certificate which is a requirement under the tariff regulations, the electricity service connection could not be converted from category VIII to category I which is provided for buildings which have occupancy certificate. Therefore, the learned writ Court rightly declined to interfere in the matter.

5. Upon hearing the learned counsel for the parties and on perusal of the order under appeal dated 19.08.2026 and on consideration of the rival submissions of the parties and materials placed on record, we do not find any error in the approach of the learned writ Court. The appellants have an obligation to produce occupancy certificate as per the applicable tariff regulations for conversion of the electricity service connection from category VIII to category I whereas their application for regularization of

¹ 2024 SCC OnLine SC 3767

the unauthorized construction before the respondent Corporation is pending and in respect of none of the floors, any occupancy certificate has been issued as yet. Therefore, we do not find any reason to interfere in the matter.

The instant Writ Appeal is accordingly dismissed. There shall be no order as to costs.

Miscellaneous applications, if any pending, shall stand closed.

SD/- NAYANI CHANDRA SEKHAR RAO
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SR. D. KAVAL KUMAR, Advocate [OPUC]
2. Two CCs to GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, High Court for the State of Telangana, at Hyderabad [OUT]
3. Two CCs to GP FOR ENERGY High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to SR K. RAVI MAHENDER, SC FOR GHMC [OPUC]
5. One CC to SR N. SREEDHAR REDDY, SC FOR TSPDCL [OPUC]
6. One CC to SR A. VEERESH KUMAR, SC FOR HMWSB [OPUC]
7. Two CD Copies

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TKS



HIGH COURT

DATED: 09/09/2026

JUDGMENT

WA.No.984 of 2026



**DISMISSING THE WRIT APPEAL
WITHOUT COSTS**

⑪ NT
17/9/26.