IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY,THE FIFTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

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

WRIT APPEAL NO: 840 OF 2025

Writ Appeal under clause 15 of the Letters Patent appeal preferred against the order dated 11/07/2025 passed in W P No 8834 of 2025 on the file of the High Court.

Between:

Sri. Ramesh Sankla, s/o. Late. Pukhraj Sankla, aged 61 years, Occ. R/o.14-1-509/2, Ghode Ki Khabar, Mangalhat, Gyan Bagh Colony, Asif Nagar, Hyderabad.

...APPELLANT

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and UD Department, Secretariat, Hyderabad
2. The Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Lower Tank Bund, Hyderabad
3. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Goshamahal, KBZ Cirlce-14, Hyderabad
4. The Asst Town Planning Officer, Greater Hyderabad Municipal Corporation, Goshamahal KBZ cirlce-14, Hyderabad
5. Syed Basheer, S/o. Late. Syed Muneer, Aged about 40 years, Occ. Business, R/o. H.No. 14-1-509, Ghode Ki Khabar, Seetarampet, Hyderabad.

...RESPONDENTS

IA NO: 2 OF 2025

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 order dt.11.7.2025 passed in W.P.no. 8834 of 2025 to the extent of directing the respondent authorities to unseal the premises and further direct the respondent authorities to seal the premises, pending disposal of the writ appeal

Counsel for the Appellant: SRI. PRAMOD SINGH

Counsel for the Respondent No.1 : SRI E. VENKATA REDDY,
GP FOR MUNICIPAL ADMINISTRATION
AND URBAN DEVELOPMENT

Counsel for the Respondent Nos. 2to4: SRI MIDDE ARUN KUMAR,
SC FOR GHMC

Counsel for the Respondent No.5: SRI MADANU NARESH REP
SRI P. SHEKHAR

The Court made the following: JUDGMENT

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH

AND

THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT APPEAL No.840 of 2025

JUDGMENT:

Heard Sri Pramod Singh, learned counsel for the appellant. Also heard Sri E. Venkata Reddy, learned Government Pleader for Municipal Administration and Urban Development Department, appearing for respondent No.1, Sri Midde Arun Kumar, learned Standing Counsel for Greater Hyderabad Municipal Corporation (GHMC), appearing for respondent Nos.2 to 4, and Sri Madanu Naresh, learned counsel representing Sri P.Shekhar, learned counsel for respondent No.5.

2. The interim order dated 11.07.2025 passed in W.P.No.8834 of 2025, which was filed by respondent No.5 herein, is under challenge by the appellant, who is the unofficial respondent in the said writ petition.

3. The learned writ court suspended the speaking order dated 14.02.2025 passed by respondent No.3 pending

consideration of the regularisation application submitted by respondent No.5 under Sections 455 and 455A of the Greater Hyderabad Municipal Corporation Act, 1955. At the same time, the official respondents were directed to unseal the premises bearing H.No.14-1-509/9, Ghode-ki-Khabar, Hyderabad, and release it to respondent No.5. Respondent No.5 was also directed not to raise any further construction on the subject premises. It was further made clear that respondent No.5 shall not claim any equities. The matter has been posted on 11.08.2025, that means after six days. The appellant, being aggrieved by the suspension of the speaking order dated 14.02.2025, unsealing of the subject premises and also release of the said property in favour of respondent No.5, has approached this Court.

4. Learned counsel for the appellant submits that the counter affidavit filed by GHMC would itself indicate that the application of respondent No.5 for regularisation is unlikely to be allowed. In such circumstances, the learned writ court committed an error in suspending the speaking

order dated 14.02.2025, whereby respondent No.3 directed respondent No.5 to remove his house on violation of the rules.

5. It appears from hearing the learned counsel for the parties that respondent No.5, in the meantime, had been restrained from making any further construction on the subject premises. The question of regularisation is still open. It is for the GHMC to take a decision on the pending regularisation application submitted by respondent No.5. The main matter is pending before the learned writ court and posted on 11.08.2025.

6. Learned Standing Counsel for GHMC has submitted that the decision on the application of respondent No.5 for regularisation would be taken in accordance with law without any delay.

7. In the above circumstances, we are of the considered view that no interference is called for in the writ proceedings at the interim order stage in the present appeal. It is open for the parties to agitate their cause of

action and plea before the learned writ court on the date fixed. It is expected that the decision on the regularisation application of respondent No.5 will be taken within a strict timeframe by the competent authority to give a quietus to the dispute.

8. The writ appeal is accordingly disposed of. However, there shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

SD/-V.KAVITHA
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and UD Department, Secretariat, T.S.,Hyderabad
2. The Commissioner, Greater Hyderabad Municipal Corporation, Lower Tank Bund, Hyderabad
3. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Goshamahal, KBZ Cirlce-14, Hyderabad
4. The Asst Town Planning Officer, Greater Hyderabad Municipal Corporation, Goshamahal KBZ cirlce-14, Hyderabad
5. One CC to SRI. PRAMOD SINGH Advocate [OPUC]
6. Two CCs to GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT ,High Court for the State of Telangana, at Hyderabad [OUT]
7. One CC to SRI. P. SHEKAR, Advocate [OPUC]
8. One CC to SRI. MIDDE ARUN KUMAR, SC FOR GHMC [OPUC]
9. Two CD Copies

B M
GJP PA

HIGH COURT

DATED:05/08/2025



JUDGMENT

WA.No.840 of 2025

DISPOSING OF THE WRIT APPEAL
WITHOUT COSTS

(12) PA
3/9/25