IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE FOURTH 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: 605 OF 2026

Writ Appeal under clause 15 of the Letters Patent Writ Appeal preferred against the order dated 19/01/2026 passed in W P No.1276 of 2026 and pass on the file of the High Court.

Between:

P. Sainath, S/o. P. Sreeramulu, Aged about 41 Years, Occ. Employee, R/o. 1-6-249/16/1, Friends colony, Musheerabad, Hyderabad.

...APPELLANT/RESPONDENT NO.6

AND

1. B. Susheela, W/o. Late B. Goutham, Aged about not Known , Occ. Housewife. R/o. 1-6-249/15, Friends colony, Musheerabad, Hyderabad

...RESPONDENT/PETITIONER

2. The State of Telangana, through Principal Secretary Municipal Administration having an office at the Secretariat Hyderabad.
3. The Greater Hyderabad Municipal Corporation, Represented by its Commissioner, Having its office at Tank Bund Hyderabad
4. The Deputy City Planner, The Deputy City Planner, GHMC Abids Circle, Hyderabad.
5. The Assistant City Planner, / Town Planning Officer, GHMC, Musheerbad/ Abids, Hyderabad.
6. The Station House officer, Musheerabad Police Station, Hyderabad

...RESPONDENTS /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 grant stay of the impugned orders dated 19.01.2026 passed in WP No. 1276 of 2026 by the learned single judge, pending disposal of the above writ petition.

Counsel for the Appellant: SRI M. DURGA PRASAD

Counsel for the Respondent no.1: SRI B. BHAGATH SAIN
Counsel for the Respondent No.2: GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT
Counsel for the Respondent Nos.3 to 5: SRI G. MADHUSUDHAN REDDY, SC FOR GREATER HYDERABAD MUNICIPAL CORPORATION
Counsel for the Respondent No.6: SRI MAHESH RAJE, GP FOR HOME

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.605 of 2026

DATED : 04.08.2026

Between:

P. Sainath

... Appellant

AND

B. Susheela and five others

... Respondents

JUDGMENT:

Mr. M. Durga Prasad, learned counsel appears for the appellant.

Mr. G. Madhusudhan Reddy, learned Standing Counsel for Greater Hyderabad Municipal Corporation (GHMC) appears for respondent Nos.3 to 5.

Mr. Mahesh Raje, learned Government Pleader for Home appears for respondent No.6.

2. The instant Writ Appeal is filed by respondent No.6 in Writ Petition No.1276 of 2026, against the interim order dated 19.01.2026 passed by the learned writ Court in Writ Petition No.1276 of 2026. The order under appeal dated 19.01.2026 is to the following effect.

> "Issue notice to respondent No.6.
>
> Learned counsel for the petitioner is permitted to take out personal notice to respondent No.6 and file proof of service by the next date of hearing.

> Mr. G. Madhusudan Reddy, learned Standing Counsel for GHMC appearing for respondents No.2 to 4, shall get instructions by the next date of hearing.
>
> There shall be interim direction to respondents No.3 and 4 to stop the unauthorized construction, if any, made by respondent No.6 in the subject property, without/in deviation of the sanctioned plan.
>
> Post on 16.02.2026."

3. The order under appeal was passed without hearing the appellant. Thereafter, GHMC has passed an order dated 29.04.2026 rejecting the building permission application filed by the appellant. The conclusive portion of the said order is to the following effect:

> "It is therefore, evident that the contentions of party are not correct and does not convey the existing position on ground vis-à-vis the documentary proof. Therefore, the explanation/reply submitted is hereby rejected and further directed to remove the deviated portions yourself within (15) days from the date of receipt of this notice failing which the GHMC will take further necessary action in accordance with law under the provisions of GHMC Act, 1955 and the expenses incurred thereof, shall be recovered from you."

4. A copy of the said order has been produced by the learned counsel for the appellant. The said order has been made as the subject matter of challenge in Writ Petition No.16669 of 2026 wherein respondent No.1 herein/writ petitioner has also been arrayed as one of the respondents. *Vide* order dated 15.05.2026, the learned writ Court at this instance while issuing notice upon respondent No.1/writ petitioner issued an interim direction to the official respondents not to take any coercive steps against the appellant in respect of the subject property till

the next date of hearing. The matter was posted for 17.06.2026. Thereafter, it has been posted for 11.08.2026.

5. In view of aforesaid developments, and as it is not disputed by the learned counsel for the parties, the challenge to the order under appeal has become infructuous.

Accordingly, the instant Writ Appeal is disposed of as infructuous. 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 Sri M. Durga Prasad, Advocate [OPUC]
2. One CC to Sri B. Bhagath Sain, Advocate [OPUC]
3. One CC to Sri G. Madhusuhan Reddy, SC for Greater Hyderabad Municipal Corporation(HMC)
4. Two CCs to the GP for Home, High Court for the State of Telangana, at Hyderabad[OUT]
5. Two CCs to the GP for Municipal Administration and Urban Development, High Court for the State of Telangana, at Hyderabad[OUT]
6. Two CD Copies

TJ

GJP

HIGH COURT

DATED: 04/08/2026

JUDGMENT

WA.No.605 of 2026



DISPOSING OF THE WRIT PETITION AS INFRUCTUOUS WITHOUT COSTS

(10)
JT
24/8/26