

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**MONDAY, THE EIGHTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION NO: 36167 OF 2024

Between:

1. Pulipati Praveen Kumar, S/o Sri. Pulipati Ramaswamy, aged 39 years, occ business, r/o H.No. 5-115/11 Narsimha Reddy Road, Shamshabad, 501218. Ranga Reddy District,
2. Smt. Muddagouni Vijaya Lakshrni, w/o late Muddagouni Venkatesham, aged 65 years, occ household
3. Rangam Prashanthi, d/o late Muddagouni Venkatesham Aged 40 years, occ household
4. Muddagouni Gnanoday Goud, s/o late Muddagouni Vankatesham aged 39 years, occ business,
5. Muddagouni Sandeep Goud, S/o late Muddagouni Venkatesham, aged 36 years, occ business, all r/o H.No. 11-202, Siddanthi, Shamshabad Village and Mandal, Ranga Reddy District.

Petitioners No. 2 to 5 are L.R's of LATE MUDDAGOUNI VENKATESHAM GOUD Since died on 14-02-2023

6. SYED HABEEB, S/o late Syed Ahmed, Aged 66 years, occ business, r/o H.No. 8-51/1, Siddanti basti, Shamshabad Mandal, R.R.Dist.

...PETITIONERS

AND

1. The State of Telangana, Rep by its Principal Secretary (Municipal Administration), Secretariat Buildings, Hyderabad.
2. The Shamshabad Municipality, Ranga Reddy District, Shamshabad, reptd by its Commissioner.
3. Project Director, National High Ways Authority of India (PIU), Secunderabad.
4. The Collector, Ranga Reddy District.

5. SMT PONNABOINA NIRUPA YADAV, W/o Ponnaboina Prem Raj Yadav, Aged about 58 years, occ Housewife, R/o H.No.3-2-845/A, Kachiguda, Hyderabad, 500 027
6. Yetti Kumar, S/o Y.Nagaiah, Aged 45 years, Occupation Business, R/o H.NO 3-85, Komati Basthi, Near Old Police Station, Shamshabad Village and Mandal, Ranga Reddy District, 501218.
7. Yetti Lalitha, w/o Yetti Kumar, Aged 38 years, Occupation household, R/o H.NO 3-85, Komati Basthi, Near Old Police Station, Shamshabad Village and Mandal, Ranga Reddy District, 501218

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue order or direction more particularly in the nature of Writ of Mandamus declaring the inaction of the respondent No's 2 in not considering the request of the petitioners dated 30-09-2024 and consequently direct the Respondent No. 2 to grant building permissions.

I.A. NO: 1 OF 2024

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 2nd Respondent to grant building permission for construction in and over the plot of land measuring 296 sq. yrds or 247.5 Sq. mtrs in Sy. No. 678 of Shamshabad Village, R.R.District, pertaining to 2 to 5 petitioners on par with the individual plot owners who have been sanctioned permission in the very same Sy. No.

I.A. NO: 2 OF 2024

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 2nd Respondent to grant building permission for construction in and over the plot of land measuring 235 sq. yrds or 196.5 Sq. mtrs in Sy. No. 678 of Shamshabad Village, R.R.District, pertaining to 6th petitioner on par with the individual plot owners who have been sanctioned permission in the very same Sy. No.

I.A. NO: 3 OF 2024

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 2nd Respondent to grant building permission for construction in and over the plot of land measuring 153.00 sq. yrds or 128.03 sq. yrds in Sy. No. 678 of Shamshabad Village, R.R District, pertaining to 1st petitioner on par with the individual plot owners who have been sanctioned permission in the very same Sy. No.

I.A. NO: 4 OF 2024

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 restrain the respondents No. 2, 3 & 4 from interfering with the peaceful possession and enjoyment of the petitioners remaining extent of land remaining with them after the acquisition proceedings.

Counsel for the Petitioner: SRI SHYAM SUNDER MURTHY

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

**Counsel for the Respondent No.2: SRI G. MALLA REDDY,
SC FOR MUNICIPALITY**

Counsel for the Respondent No.3: SRI RAMU, SC FOR NHAI

Counsel for the Respondent No.4: GP FOR REVENUE

Counsel for the Respondent No.5: SRI ALLAM RAMESH

Counsel for the Respondent No.6 & 7: SRI G. RAVI KUMAR

The Court made the following: ORDER

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

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.36167 OF 2024

DATE OF ORDER: 08.06.2026

Between:

Pulipati Praveen Kumar and others

...Petitioners

AND

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

...Respondents

ORDER : (ORAL)

This writ petition is filed by the petitioners seeking to declare the action of respondents No.2 in not considering their representation dated 30.09.2024 for construction of room and compound wall encircling open plot admeasuring 153 square yards in Survey No.678, situated at Harijan Basthi (Siddanthi), Shamshabad Village and Mandal, Ranga Reddy District, as being illegal, arbitrary and unconstitutional.

2. Petitioner No.1 claims to be the absolute owner and possessor of the open plot admeasuring 153 square yards in Survey No.678, situated at Harijan Basthi (Siddanthi), Shamshabad Village and Mandal, Ranga Reddy District having acquired the same under registered gift deed bearing document No.8675 of 2023 dated 27.10.2023 from his brothers

Mr. Pulipati Rajkumar and another who in turn acquired the title to the property by way of registered sale deed bearing document No.6993 of 2008 dated 25.10.2008 from its previous owner Mr. M.Raj Kumar for a valid sale consideration. It is stated that Mr. M.Raj Kumar acquired an extent of plot admeasuring 235 square yards from Mr. Syed Abdul Rahman Quadri and others for a valid sale consideration vide registered sale deed bearing document No.196 of 1984 dated 10.01.1984. Mr. M. Raj Kumar was granted permission for construction of house by the then Gram Panchayat, Shamshabad, Ranga Reddy District *vide* GPSBP No.176/2007-08 dated 05.05.2007, however, due to some reasons, he could not commence the construction of house.

3. It is stated that petitioners No.2 to 5 are legal heirs of one Mr. Muddagouni Venkatesham Goud who died on 14.02.2023. It is stated that Mr. Muddagouni Venkatesham Goud was the absolute owner and possessor of open plot admeasuring 296 square yards (remaining land after acquisition) in Survey No.678, situated at Harijan Basthi (Siddanthi), Shamshabad Village and Mandal, Ranga Reddy District. That originally Mr. M.Venkatesham Goud had acquired part of property i.e. open plot admeasuring 370 square yards in Survey No.678 under

registered sale deed bearing No.6697 of 1995 dated 28.02.1995 from its previous owner by name Mr. Syed Abdul Rahman Quadri for a valid sale consideration. Another extent of land admeasuring 516 square yards in Survey No.678 was acquired by Mr. M.Venkatesham Goud under registered sale deed dated 25.06.1986 executed by Mr. Syed Abdul Quadri and five (5) others. Thus, Mr. M.Venkatesham Goud became absolute owner and possessor of open plot admeasuring 886 square yards in Survey No.678 out of which, the land admeasuring 590 square yards was acquired for development of National Highway-7 of Hyderabad to Bengaluru and Mr. M.Venkatesham Goud was left with land admeasuring 296 square yards as stated above.

4. It is further stated that petitioner No.6 is the absolute owner and possessor of house constructed on Plot admeasuring 280 square yards, Block No.8, in Survey No.678, situated at Harijan Bathi (Siddanthi), Shamshabad Village and Mandal, Ranga Reddy District, out of which, an extent of 280 square yards including structural area admeasuring 45 square yards has been acquired by respondents No.3 and 4 for road widening. Petitioner No.6 was left with remaining land admeasuring 235 square yards.

5. It is stated that the Land Acquisition Officer (LAO), while passing award dated 26.03.2004 in File No.1/1516/2001-02, was pleased to refer the matter to the Civil Court under Section 31 of the Land Acquisition Act, 1894. Upon reference and after full-fledged trial, the learned Special Sessions Judge for Trial of Cases under SC & ST (POA) Act 1989-cum-VII Additional District Judge, Ranga Reddy District (for short 'trial Court') was pleased to uphold the title of petitioners No.1 to 6, and consequently rejected the objection raised by Mr. V.Sudarshan Sharma, and permitted the petitioners to receive the compensation amount.

6. It is stated that Mr. Syed Abdul Rehman Quadri and others acquired the open Plot Nos.1 & 2 admeasuring 5620 square yards situated at Shamshabad Village, the then Rajendranagar Taluk, Ranga Reddy District under registered sale deed dated 04.12.1982 bearing document No.8549 of 1982 from its previous owner Ms. Radha Bai and others for a valid sale consideration. Ms. Radha Bai and others in turn acquired the above said Plot Nos.1 and 2 admeasuring 7620 square yards from Mr. Joshi Kistaiah Chary under registered sale deed bearing No.126 of 1962 dated 22.05.1962 for a valid sale consideration. While things stood thus, respondent No.4 placed a requisition proposal before respondent

No.3 for acquisition of certain lands situated at Shamshabad Village (Siddanthi) Shamshabad Mandal for Development of North-South corridor of Hyderabad to Bangalore section passing through NH-7 at Siddanthi, H/o Shamshabad Village. In turn, respondent No.4, *vide* reference No.G2/528/2001 dated 14.07.2003, has forwarded the requisition to the office of the LAO and Revenue Divisional Officer (RDO), Chevella Division, Ranga Reddy District. It is further stated that pursuant to the acquisition proceedings initiated by respondents No.3 and 4, the LAO had acquired the part of lands from the petitioners for development of NH-7 of Hyderabad-Bengaluru for four lining road as follows :

Sl. No.	Name of owner/extent owned	Extent held before acquisition	Balance left after acquisition
1.	Pulipati Praveen Kumar Land admeasuring 153 square yards = 128.03 square meters in Survey No.678, situated at Siddanthi, Shamshabad village under Shamshabad Municipality and Mandal, Ranga Reddy District bounded: North: Shamshabad Village road South: Open land of Venkatesham Goud East: House of E.N.Naveen West: Main Road, NH-7	M.Raj Kumar Land admeasuring 235.00 square yards = 196.5 square meters in Survey No.678, situated at Siddanthi, Shamshabad village under Shamshabad Municipality and Mandal, Ranga Reddy District bounded: North: Village Main road South: Open land East: Open land West: Open land	Pulipati Praveen Kumar Land admeasuring 153 square yards = 128.03 square meters in Survey No.678, situated at Siddanthi, Shamshabad village under Shamshabad Municipality and Mandal, Ranga Reddy District bounded: North: Shamshabad Village road South: Open land of Venkatesham Goud East: House of E.N.Naveen West: Main Road, NH-7
2.	Muddagouni Vijaya Lakshmi and 4 others M.Venkatesham	M.Venkatesham Land admeasuring 886.00 square yards = 740.8 square	Muddagouni Vijaya Lakshmi and 4 others M.Venkatesham

	Land admeasuring 296.00 square yards = 247.49 square meters in Survey No.678, situated at Siddanthi, Shamshabad Village under Shamshabad Municipality and Mandal, Ranga Reddy District bounded: North: Plot of P.Praveen Kumar South: 16 feet road East: Road West: National High Way	meters in Survey No.678, situated at Siddanthi, Shamshabad Village under Shamshabad Municipality and Mandal, Ranga Reddy District bounded: North: Plot of Jangaiah and Raj Kumar South: 16 feet road East: Road West: National High Way	Land admeasuring 296.00 square yards = 247.49 square meters in Survey No.678, situated at Siddanthi, Shamshabad Village under Shamshabad Municipality and Mandal, Ranga Reddy District bounded: North: Plot of P.Praveen Kumar South: 16 feet road East: Road West: National High Way
3.	Syed Habeeb Land admeasuring 235.00 square yards = 196.4 square meters in Survey No.678, situated at Siddanthi, Shamshabad Village under Shamshabad Municipality and Mandal, Ranga Reddy District bounded: North: Neighbour's land South: do East: Railway line West: National High Way Road	Syed Habeeb Land admeasuring 280 square yards = 234.1 square meters in Survey No.678, situated at Siddanthi, Shamshabad Village under Shamshabad Municipality and Mandal, Ranga Reddy District bounded: North: Neighbour's land South: do East: Railway line West: National High Way Road	Syed Habeeb Land admeasuring 235.00 square yards = 196.4 square meters in Survey No.678, situated at Siddanthi, Shamshabad Village under Shamshabad Municipality and Mandal, Ranga Reddy District bounded: North: Neighbour's land South: do East: Railway line West: National High Way Road

It is stated that Mr. V.Sudershan Sharma had raised objection before the LAO allegedly claiming that he is the owner of land admeasuring Ac.1-02 guntas in Survey No.678, who in turn referred the dispute to the trial Court and order dated 30.06.2018 was passed in L.A.O.P. No.450 of 2011 rejecting the claim of Mr. V.Sudershan Sharma on the ground that he did not adduce any evidence to establish his title and moreover, he did not challenge the order dated 07.06.2007 in

proceedings No.L/414/2007 passed by the RDO, Chevella and held Mr. M.Venkatesham Goud and others including Mr. M.Raj Kumar are entitled to withdraw the compensation awarded by the LAO.

7. It is stated that while so, respondent No.5 filed W.P. No.30617 of 2023 before this Court alleging that the authorities of respondent No.1 visited the property on 29.02.2024 and obstructed her to proceed with the construction activities for which she has explained that she is not constructing any building except for construction of room for watchman apart from compound wall. It is stated that the property situated in Survey No.678 were affected in the road widening, in which some of the houses were dismantled and some of open plots were occupied to the extent of road widening; some of the plot owners like respondent No.5 have modified and reconstructed the structures which were dismantled in the road widening and some of them have constructed compound wall along with rooms to protect their lands from the land grabbers. It is further alleged that respondent No.5 also approached respondent No.1 authorities to accord permission for construction of residential house in the property which was rejected without assigning any reasons.

8. It is submitted that petitioners No.1, 2 to 5 and 6 respectively approached the municipal authorities to accord permission for construction of residential house in the property however, the authorities, without assigning any reasons, declined to grant permission. It is submitted that respondent No.5 is claiming to be the owner of land admeasuring Ac.0.18 guntas in Survey No.678 having purchased the same under registered gift deed bearing No.4883 of 2019 dated 07.03.2019 from Mr. Gaddam Srinivas Yadav, who in-turn purchased the same from Mr. V.Sudarshna Sharma under a registered sale deed bearing document No.1282 of 2004 dated 15.03.2004. The RDO, Chevella cancelled the ORC issued to Mr. V.Sudarshan Sharma *vide* order dated 07.06.2007 in proceedings No.L/414/2007 which was not challenged by him. Thus, neither respondent No.5 nor her donor or his predecessor-in-title by name Mr. V.Sudarshan Sharma is having any right or title over the above said land. It is stated that the order dated 03.11.2023 was passed by this Court in W.P. No.30617 of 2023 without considering the provisions of the Limitation Act 1963, the Transfer of Property Act, 1882 the Specific Relief Act, 1963. The said order was challenged in W.A. No. 1107 of 2024 before a Division Bench of this Court and the

said writ appeal was disposed of by the order dated 19.09.2024 with an observation that the petitioners are not parties to the order dated 03.11.2023 passed by the learned single Judge. The aforesaid order does not bind the petitioners. The petitioners/appellants were granted liberty to file fresh writ petition challenging the order dated 03.11.2023 passed by the learned Single Judge or to file an application seeking review of the said order. That after disposal of the W.A. No.1107 of 2024, the petitioners herein had submitted fresh applications dated 30.09.2024 before respondent No.1 seeking permission for construction of compound wall/rooms in their respective lands but no so far, no action has been taken by respondent No.1, as such, they are constrained to approach this Court.

9. In the counter affidavit filed by respondent No.2, while denying the averments made in the writ affidavit, it is contended that there is title dispute between the petitioners and respondents No.5 to 7 and there are several cases pending before the trial Court in respect of the subject matter. Respondent No.2 is not the competent authority to decide title dispute. As per records, Mr. V.Sudarshan Sharma obtained permission from the Shamshabad Gram Panchayat *vide* G.P.B.P. No.182/2003-04

dated 09.01.2003. W.P. No.30617 of 2023 filed by respondent No.5 was disposed of by the order dated 03.11.2023 directing action to be taken to prevent unauthorized construction from coming into existence. Pursuant thereto, show cause notices and speaking orders dated 04.12.2023, 13.12.2023 and 23.01.2024 have been issued to the petitioners for removing the ACC roof and tin shed by following due process of law as per the order dated 03.11.2023 passed by this Court in W.P. No.30617 of 2023. Thereafter, the petitioners have approached the Municipal authorities to accorded permission for construction of residential house over the property, however, the same was rejected due to title disputes as per the order dated 03.11.2023. W.A. No.1107 of 2024 was filed by the petitioners challenging the order dated 03.11.2023 in W.P. No.30617 of 2023. It is further stated that the property falls within the area of G.O.Ms. No.111 dated 08.03.1996 which imposes restrictions on certain types of development and construction activities. As per the said G.O., the construction of residential, commercial or industrial buildings within a radius of 10 km of Osman Sagar and Himayat Sagar lakes is strictly regulated in order to protect the catchment areas and ensure safety of drinking water sources. Further, it is stated that the petitioners have got

no *locus standi* to file the present writ petition under Article 226 of the Constitution of India. The permission application of the petitioners was rejected due to title disputes.

10. In the counter affidavit filed by respondents No.6 and 7, it is stated that respondent No.6 is the owner and possessor of the open plot bearing H.No.11-230/2/Part admeasuring 110 square yards situated at Siddanthi, Shamshabad Village and Mandal, Ranga Reddy District having acquired the same under registered sale deed bearing document No.9639 of 2019 dated 15.06.2019 from its previous owner Mr. Koppula Koushik Vardhan Reddy. The vendor of respondent No..6 acquired the premises bearing H.No.11-230/2 admeasuring 166 square yards from its previous owner by name Ms. Koppula Pentamma under registered sale deed bearing document No.1190 of 2011. Further, respondent No.6 is also the owner and possessor of part of dismantled house bearing H.No.8-29/1 part (old) H.No.11-30/1/Part, admeasuring 272 square yards, situated at Harijan Basthi (Siddanthi), Shamshabad Village and Mandal, Ranga Reddy District, having purchased the same under registered sale deed bearing document No.5994 of 2018 dated 16.05.2018 from its previous owners by name Ms. Vanajarana Eath Raj Bai and others for a valid sale

consideration who in turn acquired the property total admeasuring 490 square yards from its previous owner by name Mr. Abdul Rahman Quadri under registered sale deed bearing document No.2017 of 1986.

11. It is stated that respondent No.7 is the absolute owner and possessor of part of dismantled house bearing H.No.8-29/1 part (old) H.No.11-30/1/part (new) admeasuring 273 square yards having acquired the same under registered sale deed bearing document No.5995 of 2018 dated 16.05.2018 from one Ms. V.Sushma and others for a valid sale consideration. After the purchase of the property, the names of respondents No.6 and 7 were recorded in the municipal records and they had been paying the property tax in respect of the property. It is submitted that ORC *vide* file No.L/4746/93 dated 16.07.1994 issued to Mr. V.Sudershan Sharma was cancelled by the Revenue Divisional Officer, Chevella Division *vide* file No.L/414/2007 dated 07.06.2007. After acquiring the land for development of NH-7 of Hyderabad-Bengaluru for four lining road and after receiving the objection raised by Mr. V.Sudershan Sharma, the LAO referred the matter to the dispute to the trial Court and order dated 30.06.2018 was passed in L.A.O.P. No.450 of 2011 rejecting the claim of Mr. V.Sudershan Sharma. It is further

stated that respondent No.5 is claiming ownership over the land admeasuring Ac.0-18 guntas in Survey No.678 having acquired the same under registered sale deed bearing No.4883 of 2019 dated 07.03.2019 from Mr. Gaddam Srinivas Yadav who in turn acquired the same from Mr. V.Sudershan Sharma under registered sale deed bearing document No.1282 of 2004 dated 15.03.2004. Mr. V.Sudershan Sharma, without having any title over the land admeasuring Ac.1-02 guntas in Survey No.678, created documents and the RDO, Chevella cancelled his ORC as stated above. It is stated the structures over the property were constructed long back and they are being repaired. While so, the officials of respondent No.2 came to the property of respondents No.6 and 7 and prevented them from effecting repairs to the structures over the property on the ground that respondent No.5 filed W.P. No.30617 of 2023 against them alleging illegal construction being made by them in the land admeasuring Ac.1-02 guntas in Survey No.678. The said writ petition was disposed of by order dated 03.11.2023 directing respondent No.2 to prevent unauthorized/illegal construction over the said land. That basing on the said order, respondent No.2 issued show cause notice dated 04.12.2023 which was received by the son of respondent No.6;

respondent No.6 was out of town and no explanation was submitted to the said notice. Thereafter, speaking order dated 13.12.2023 was passed by respondent No.2 which was served on the neighbour of respondent No.6 by name Mr. M.Mallesha and later handed over to respondent No.6 after lapse of one (1) month. Challenging the said speaking order, respondent No.6 filed W.P. No.2081 of 2024 and the same was disposed of by order dated 30.01.2024 directing respondent No.6 to file appeal under Section 252 of the Telangana Municipalities Act, 2019 within a period of sixty (60) days from the date of receipt of a copy of the order. Accordingly, appeal was preferred by respondent No.6 before the concerned authorities which was allowed setting aside the speaking order dated 13.12.2023 passed by respondent No.2.

12. Respondent No.5 claims to be the owner of the land admeasuring Ac.0-18 guntas in Survey no.678, out of Ac.1-02 guntas, situated at Shamshabad Village and Mandal by virtue of registered gift deed bearing document No.4883 of 2019 dated 07.03.2019 executed by Mr. Gaddam Srinivas who purchased the same under registered sale deed bearing document No.1282 of 2004 from Mr. V.Sudarshan Sharma. The claim of respondent No.5 is that Mr. V.Sudarshan Sharma was granted patta in

respect of the land admeasuring Ac.1-02 guntas in Survey No.678 *vide* proceedings No.L/4746/1993 dated 16.07.1994 issued by the RDO, Chevella. By alleging that unauthorized constructions are made in the land admeasuring Ac.1-02 guntas in Survey No.678, respondent No.5 lodged complaint with respondent No.2 on 20.10.2023. As the complaint was not acted upon, W.P. No.30617 of 2023 was filed which was disposed of by the order dated 03.11.2023 directing respondent No.2 herein to prevent any construction if it is being made without any valid permission; respondents No.6 and 7 were arrayed as respondents No.3 and 4 in the said writ petition.

13. It is the contention of the learned counsel for the petitioners that the petitioners are admittedly not parties to the said writ petition. The petitioners challenged the order dated 03.11.2023 in W.A. No.1107 of 2024 which was disposed of by the order dated 19.09.2024 by observing that the petitioners are not parties to W.P. No.30617 of 2023 and the order dated 03.11.2023 does not bind the petitioners, and liberty was granted to them to file application for review of the said order or file a fresh writ petition challenging the said order. It is relevant to note the the petitioners did not choose to file review application/file fresh writ

petition, instead, they approached this Court seeking for direction to respondent No.2 to consider their representation dated 30.09.2024 for granting permission for construction in respect of the subject land.

14. It is the contention of the learned counsel for the petitioners that Mr. M. Venkatesham Goud who is the predecessor-in-title of respondent No.5 lost title over the subject land by virtue of proceedings No.L/4746/1993 dated 16.07.1994 issued by the RDO, Chevella. It is evident from the order dated 07.06.2007, Mr. M. Venkatesham Goud (the husband of petitioner No.2 and father of petitioners No.3 to 5) and fourteen (14) others are appellants and Mr. V.Sudarshan Sharma is the respondent. The RDO, Chevella is the original authority, however, proceedings No.L/414/2007 dated 07.06.2007 was surprisingly taken up as appeal. In paragraph No.2 of the said order, it is stated that the Joint Collector has remanded the case for passing speaking order. It was recorded that the RDO, Chevella earlier passed the order dated 16.07.1994 in proceedings No.L/4746/1993 without issuing notice to the interested parties and without verifying the physical possession. Further, it is stated that Mr. Joshi Kistaiah, the father of Mr. V.Sudarshan Sharma, already sold the land admeasuring Ac.1-02 guntas in Survey No.678 to

one Ms. Radha Bai under registered sale deed bearing document No.126 of 1962 dated 22.05.1962. It is further stated that there is no specific discussion in respect of the land admeasuring Ac.1-02 guntas in Survey No.678 in the order dated 20.06.1994 in proceedings No.L/4746/1993 and Mr. V.Sudarshan Sharma was held to be out of the possession of the said land long back prior to 1970 and that the purchaser, Ms. Radha Bai, sold the land to Mr. M.Venkatesham Goud and others. The claim of Mr. V.Sudarshan Sharma was held to be not maintainable and the order was passed on 07.06.2007 in proceedings No.L/414/2007 issuing Occupancy Rights Certificate in favour of Mr. M. Venkatesham Goud and others in respect of the land admeasuring Ac.0-13 guntas and 83 square yards. Thus, prima facie, respondent No.5 does not have valid title in respect of the land in question. Moreover, the claim of Mr. V.Sudarshan Sharma in L.A.O.P. No.450 of 2018 was rejected by the order dated 30.06.2018.

15. Heard Mr. Shyam Sunder Murthy, learned counsel for the petitioners; learned Standing Counsel for respondent No.2; learned Standing Counsel for NHAI, appearing for respondent No.3, Mr. L.Ravinder, learned Assistant Government Pleader for Revenue,

appearing for respondent No.4, Mr. Allam Ramesh, learned counsel for respondent No.5; and perused the material on record.

16. The limited relief sought by the petitioners is to direct respondent No.2 to consider their representation for grant of building permission. According to the learned counsel for the petitioners, permission is required to safeguard the subject land and prevent encroachment. However, according to the learned Standing Counsel for respondent No.2 and learned Assistant Government Pleader for Revenue, the subject land falls under G.O.Ms. No.111 and no permission can be granted.

17. It needs to be noted the petitioners have purchased the subject land under registered documents and their title over the land is not in question before this Court. It is also not the contention of the Municipality or the Revenue i.e. respondent No.2 or respondent No.4 that the petitioners do not have valid title. Maybe there is dispute between the petitioners and respondent No.5 but as observed in the above paragraphs, the petitioners have prima facie and better title than respondent No.5 over the subject land. G.O.Ms. No.111 places restriction on construction in notified villages which include Shamshabad. There cannot be any denial of the

fact due to skyrocketing of prices of lands in and around Hyderabad/ Cyberabad areas, it has become difficult for the owners to protect their respective properties.

18. The objective of G.O.Ms. No.111 is to see that there is no permission granted so as to ensure that there is no obstruction to catchment of Osman Sagar and Himayat Sagar water reservoirs. If permanent structures are not permitted, then there should be some mechanism by which the owners can protect their properties. Assuming construction of compound wall would amount to permanent structure, at least temporary structures like placing asbestos sheets/pre cast walls have to be permitted. Otherwise, it will not only be difficult for the owners to safeguard their properties but it will also lead to multiplicity of litigation and legal complications.

19. If a person owns a property in Shamshabad covered by G.O.Ms. No.111, it needs no emphasis to say that it is valuable property and one needs to have round the clock surveillance to protect his/her property. Protecting even a small plot is always a challenge and this is because of several disputes relating to multiple sale transactions,

overlapping of survey numbers, boundary disputes and disputes relating to illegal layouts etc. It is not as if the parties get solace whenever they approach concerned Police authorities or civil Court. The agony being faced by the parties in getting expeditious relief in cases of encroachment of their properties before the civil courts and Police Stations is a common phenomenon and needs no special mention. If the property owner cannot protect his/her property and there is not support from the administrative/Police and Courts in getting efficacious relief, then one has to introspect where the remedy lies.

20. According to the learned Standing Counsel for respondent No.2 and learned Assistant Government Pleader for Revenue, review of G.O.M. No.111 is under active consideration of the present Government and cabinet sub-committee has been constituted for studying the modification. It is not known when such decision will be taken by the Cabinet Sub-Committee and the petitioners cannot be made to suffer because of this uncertainty and stalemate for an indefinite period.

21. Accordingly, this writ petition is disposed of directing respondents No.2 to consider the representation dated 30.09.2024 seeking permission

for construction of compound wall/rooms in the subject land i.e. open plot admeasuring 153 square yards in Survey No.678, situated at Harijan Basthi (Siddanthi), Shamshabad Village and Mandal, Ranga Reddy District, by giving opportunity of hearing to the petitioners and respondents No.5 to 7, and all other concerned/interested persons and pass appropriate orders in accordance with law, within a period of sixty (60) days from the date of receipt of a copy of this order. Likewise, the representations, if so, submitted by the petitioners in respect of the land admeasuring 296 square yards in Survey No.678; 235 square yards in Survey No.678, 153 square yards in Survey No.678, situated at Shamshabad Village, Ranga Reddy District, shall be considered in accordance with law, within a period of 60 days from the date of receipt of a copy of this order. There shall be no order as to costs.

As a sequel thereto, miscellaneous applications, if any, pending in the writ petition stand closed.

SDI-A.H.S. GOWRI SHANKAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

- To,
1. The Principal Secretary (Municipal Administration), The State of Telangana, Secretariat Buildings, Hyderabad.
 2. The Commissioner, The Shamshabad Municipality, Ranga Reddy District, Shamshabad.
 3. Project Director, National High Ways Authority of India (PIU), Secunderabad.
 4. The Collector, Ranga Reddy District.
 5. One CC to SRI SHYAM SUNDER MURTHY, Advocate [OPUC]
 6. One CC to SRI G. MALLA REDDY, SC FOR MUNICIPALITY [OPUC]

7. One CC to SRI RAMU, SC FOR NHAI [OPUC]
8. One CC to SRI ALLAM RAMESH, Advocate [OPUC]
9. One CC to SRI G. RAVI KUMAR, Advocate [OPUC]
10. Two CCs to GP FOR MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT, High Court for the State of Telangana, at Hyderabad [OUT]
11. Two CCs to GP FOR REVENUE, High Court for the State of Telangana. [OUT]
12. Two CD Copies

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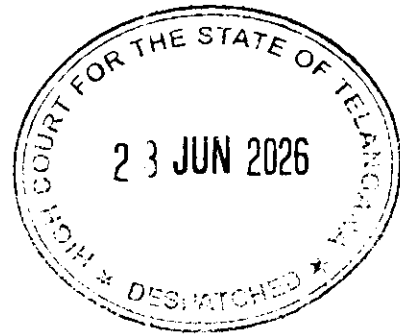
CC TODAY

HIGH COURT

DATED: 08/06/2026

ORDER

WP.No.36167 of 2024



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

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