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

TUESDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NOs: 27285, 31680 and 34713 of 2026

WRIT PETITION No: 27285 of 2026

Between:

1. Ahmed Bin Awad, S/o. Late Awad Bin Ahmed, aged about 50 years, Occ. Service at Dubai, UAE, R/o. H.No.3-5-786/4, King Kothi, Hyderabad.
2. Ahmed Bin Hamed, S/o. Mr. Hamed Bin Abdullah, aged about 38 years, Occ.. Service at Dubai, UAE, R/o. H.No.18-10-206/D, Barkas, Chandrayangutta, Hyderabad.

   Both represented by their GPA Holder Mr. Hasan Bin Awaz Bamigdad, S/o. Awaz Bin Ahmed Bamigdad, aged about 80 years, Occ. Business, R/o. H.No.4-129/1, Errakunta, Bandlaguda, Hyderabad, vide registered GPA document No.14/2025 dated 17-01-2025.

...PETITIONERS

AND

1. The State of Telangana, represented by its Principal Secretary Municipal Administration and Urban Development Department, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund Road, Hyderabad.
3. The Zonal Commissioner, Khairtabad Zone, GHMC, Hyderabad.
4. The Deputy Commissioner, Circle No.35, GHMC, Khairtabad, Hyderabad.
5. The Assistant City Planner, Circle No.35, GHMC, Khairtabad, Hyderabad.
6. Mr. Mohammad Arif, S/o. Mohammed Salar, aged about 38 years, Occ.. Business, R/o. H.No.3-5-782/10/6/1, Parda Gate, King Kothi, Hyderabad.

...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 pass an order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate Writ or direction holding that the action of the Respondent No.4 in passing the impugned speaking order vide Notice No.780/10/TPS/DC/C35/KZ/GHMC/UC/2026 dated 30-06-2026 without furnishing the copy of the complaint filed by the 6th Respondent even after request of the Petitioners through their explanation dated 23-05-2026 and without granting any opportunity of hearing, passed the impugned speaking order, which is apparently illegal, arbitrary, malicious, motivated, against the principles of natural justice and fair play and amounts to abuse of the powers vested in the authority, violative of the provisions of GHMC Act and Articles of 14, 19, 21 & 300A of the Constitution of India and may be pleased to set aside the impugned speaking order vide Notice No.780/10/TPS/DC/C35/KZ/GHMC/UC/2026 dated 30-06-2026 passed by Respondent No.4.

I.A. NO: 1 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 impugned speaking order vide Notice No.780/10/TPS/DC/C35/KZ/GHMC/UC/2026 dated 30-06-2026 passed by Respondent No.4, during the pendency of the writ petition.

Counsel for the Petitioners: SRI M.A.ASHFAQ, REP. SRI MD.AJMAL AHMED

Counsel for the Respondent No.1: GP FOR MCPL ADMN & URBAN DEV

Counsel for the Respondent Nos.2 to 5: SRI MIDDE ARUN KUMAR, SC FOR GHMC

Counsel for the Respondent No.6: SRI ABDUL AZAM KHAN

WRIT PETITION NO: 31680 OF 2026

Between:

1. Ahmed Bin Awad, S/o. Late Awad Bin Ahmed, aged about 50 years, Occ. Service at Dubai, UAE, R/o. H.No.3-5-786/4, King Kothi, Hyderabad.
2. Ahmed Bin Hamed, S/o. Mr. Hamed Bin Abdullah, aged about 38 years, Occ. Service at Dubai, UAE, R/o. H.No.18-10-206/D, Barkas, Chandrayangutta, Hyderabad.

Both represented by their GPA Holder, Mr. Hasan Bin Awaz Bamigdad, S/o. Awaz Bin Ahmed Bamigdad, aged about 80 years, Occ. Business, R/o. H.No.4-129/1, Errakunta, Bandlaguda, Hyderabad, vide regd. GPA document No.14/2025 dated 17-01-2025.

...PETITIONERS

AND

1. The State of Telangana, represented by its Principal Secretary, Municipal Administration and Urban Development Department, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund Road, Hyderabad.
3. The Zonal Commissioner, Khairtabad Zone, GHMC, Hyderabad.
4. The Deputy Commissioner, Circle No.35, GHMC, Khairtabad, Hyderabad.
5. The Assistant City Planner, Circle No.35, GHMC, Khairtabad, Hyderabad.
6. Mr. Mohammad Arif, S/o. Mohammed Salar, aged about 38 years, Occ. Business, R/o. H.No.3-5-782/10/6/1, Parda Gate, King Kothi, Hyderabad.

...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 a Writ, Order or Direction more particularly one in the nature of a Writ of Mandamus or any other appropriate Writ holding that the Impugned Sealing Notice bearing Notice No.780/10/TPS/DC/C35/KZ/GHMC/UC/2026 dated 19/09/2026 under Section 461-A, 622(4) and 636 of the GHMC Act, 1955 issued by Respondent No.4, during the pendency of the writ petition in W.P. No.27285 of 2026, is illegal, arbitrary, malicious, motivated, high-handed, violative of principles of natural justice, violative of violative of the provisions of GHMC Act and the Rules framed thereunder and Articles 14, 19, 21 and 300-A of the Constitution of India and may be pleased to set aside the impugned Sealing Notice dated 19/09/2026 issued by Respondent No.4.

I.A. NO: 1 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 impugned Sealing Notice bearing Notice No.780/10/TPS/DC/C35/KZ/GHMC/UC/2026 dated 19/09/2026 issued by Respondent No.4, thereby restraining the Respondents from sealing, demolishing or interfering with the property of the Petitioners bearing Municipal Nos.3-5-782/10/5,

3-5-782/11/2 and 3-5-782/10/6 totally measuring 305 square yards equal to 255.01 square meters situated at Pardah Gate, King Kothi, Hyderabad in any manner whatsoever during the pendency of the writ petition.

Counsel for the Petitioners: SRI M.A.ASHFAQ, REP. SRI MD.AJMAL AHMED

Counsel for the Respondent No.1: GP FOR MCPL ADMN & URBAN DEV

Counsel for the Respondent Nos.2 to 5: SRI MIDDE ARUN KUMAR, SC FOR GHMC

Counsel for the Respondent No.6: SRI ABDUL AZAM KHAN

WRIT PETITION No: 34713 of 2026

Between:

1. Ahmed Bin Awad, S/o. Late Awad Bin Ahmed, aged about 50 years, Occ. Service at Dubai, UAE, R/o. H.No.3-5-786/4, King Kothi, Hyderabad.
2. Ahmed Bin Hamed, S/o. Mr. Hamed Bin Abdullah, aged about 38 years, Occ. Service at Dubai, UAE, R/o. H.No.18-10-206/D, Barkas, Chandrayangutta, Hyderabad.

   Both represented by their GPA Holder, Mr. Hasan Bin Awaz Bamigdad, S/o. Awaz Bin Ahmed Bamigdad, aged about 80 years, Occ. Business, R/o. H.No.4-129/1, Errakunta, Bandlaguda, Hyderabad, vide regd. GPA document No.14/2025 dated 17-01-2025.

...PETITIONERS

AND

1. The State of Telangana, represented by its Principal Secretary, Municipal Administration and Urban Development Department, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund Road, Hyderabad.
3. The Zonal Commissioner, Khairtabad Zone, GHMC, Hyderabad.
4. The Deputy Commissioner, Circle No.35, GHMC, Khairtabad, Hyderabad.
5. The Assistant City Planner, Circle No.35, GHMC, Khairtabad, Hyderabad.
6. Mr. Mohammad Arif, S/o. Mohammed Salar, aged about 38 years, Occ. Business, R/o. H.No.3- 5-782/10/6/1, Parda Gate, King Kothi, Hyderabad.

...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 a Writ, Order or Direction more particularly one in the nature of a Writ of Mandamus or any other appropriate Writ holding that the Impugned Intimation Notice bearing Notice No.780/10/TPS/Circle No.35/KZ/GHMC dated 09-10-2026 under Section 461-A, 622(4) & 636 of the GHMC Act, 1955 issued by Respondent No.4, during the pendency of the writ petition in W.P. No.27285 & 31680/2026, is illegal, arbitrary, malicious, motivated, high-handed, violative of principles of natural justice, violative of the provisions of GHMC Act and the Rules framed thereunder and in violation to the interim order dated 21-09-2026 in W.P. No.27285 & 31680/2026 and also violative of Articles 14, 19, 21 8. 300-A of the Constitution of India.

I.A. NO: 1 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 impugned Intimation Notice bearing Notice No.780/10/TPS/Circle No.35/KZ/GHMC dated 09-10-2026 issued by Respondent No.4, thereby restraining the Respondents from sealing, demolishing or interfering with the property of the Petitioners bearing Municipal Nos.3-5-782/10/5, 3-5-782/11/2 and 3-5-782/10/6 totally measuring 305 square yards equal to 255.01 square meters situated at Pardah Gate, King Kothi, Hyderabad in any manner whatsoever during the pendency of the writ petition.

Counsel for the Petitioners: SRI M.A.ASHFAQ, REP. SRI MD.AJMAL AHMED

Counsel for the Respondent No.1: GP FOR MCPL ADMN & URBAN DEV

Counsel for the Respondent Nos.2 to 5: SRI MIDDE ARUN KUMAR, SC FOR GHMC

Counsel for the Respondent No.6: SRI ABDUL AZAM KHAN

The Court made the following: COMMON ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITON Nos.27285, 31680 AND 34713 OF 2026 (CNR Nos.HBHC010566952026, HBHC010652492026 AND HBHC010715262026)

DATE: 13-10-2026

W.P. No.27285 of 2026

Between:
Mr. Ahmed Bin Awad and another

... Petitioners

AND

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

... Respondents

COMMON ORDER : (ORAL)

Since common issue is involved in all these writ petitions, with the consent of both sides, they are being disposed of by this common order, at the stage of admission itself.

2. For the sake of convenience, the parties herein are referred to as in W.P. No.27285 of 2026.

3. It appears that sealing notice *vide* Notice No.780/10/TPS/DC /C35/KZ/GHMC/UC/2026 dated 19.09.2026 was issued to the petitioners under Sections 461(A), 622(4) and 636 of the Greater Hyderabad Municipal Corporation Act 1955 (GHMC Act). This Court passed common order dated 21.09.2026 in W.P. Nos.27285 and 31680 of 2026 directing *status quo* to be maintained in respect of the property bearing H.Nos.3-5-782/10/5, 3-5-782/11/2 and 3-5-782/10/6, King Koti, Parda Gate, Himayathnagar, Hyderabad. Petitioners were also directed to rectify the deviations/violations pointed out in the speaking order *vide* Notice No.780/10/TPS/DC/C35/KZ/GHMC/UC/2026 dated 30.06.2026. Petitioners were also given liberty to proceed with construction in accordance with sanctioned plan.

4. Mr. M.A. Ashfaq, learned counsel, representing Mr. Md. Ajmal Ahmed, learned counsel for the petitioners, submitted that even when *status quo* order was passed, intimation *vide* Notice No.780/10/TPS/Circle No.35/KZ/GHMC dated 09.10.2026 was issued to the petitioners without giving opportunity

of hearing and they were directed to vacate the premises within three (3) days so that authorities can seal the building and undertake demolition. It is stated that impugned intimation dated 09.10.2026 is issued in consequence of the speaking order dated 30.06.2026, which is subject matter of W.P. No.27285 of 2026, wherein *status quo* order was passed. Thus, impugned intimation dated 09.10.2026 is liable to be set aside.

5. Learned counsel for the petitioners further submitted that speaking order dated 30.06.2026 was passed without considering reply dated 23.05.2026 to the show-cause notice dated 15.05.2026. Show-cause notice was issued to the petitioners on the complaint lodged by respondent No.6, who himself has constructed building comprising Ground + one (1) upper floor without obtaining any permission from the GHMC and without leaving setbacks by encroaching foot path and road margin.

6. Mr. Abdul Azam Khan, learned counsel for respondent No.6, submitted that petitioners were given reasonable opportunity before speaking order was passed. Show-cause notice was issued

on 15.05.2026, petitioners submitted explanation to the show-cause notice on 23.05.2026, hearing was conducted on 20.05.2026 and speaking order was passed on 30.06.2026.

7. Learned counsel for the petitioners submitted that impugned speaking order dated 30.06.2026, sealing notice dated 19.09.2026 and intimation dated 09.10.2026 may be set aside and direction may be issued to respondent No.4 to pass orders within specified time by affording opportunity of hearing to all parties.

8. Mr. Midde Arun Kumar, learned standing counsel for GHMC, submitted that petitioners were granted permission for construction of Stilt for parking + three (3) upper floors, as against that they have raised fourth (4^{th}) floor and also constructed building without maintaining mandatory setbacks and impugned notice was issued and orders are passed after affording opportunity of hearing to the petitioners.

9. In view of the above, considering the grievance of the petitioner that reply dated 23.05.2026 to the show-cause notice was

not considered, opportunity of hearing was not given, in the interest of justice, the writ petitions are allowed, setting aside the impugned speaking order *vide* Notice No.780/10/TPS/DC/C35 /KZ/GHMC/UC/2026 dated 30.06.2026, sealing notice *vide* Notice No.780/10/TPS/DC/C35/KZ/GHMC/UC/2026 dated 19.09.2026 and impugned intimation *vide* Notice No.780/10/TPS/Circle No.35/KZ/GHMC dated 09.10.2026 and the matter is remanded back to respondent No.4. Consequently, respondent No.4 is directed to pass orders, pursuant to the show-cause notice *vide* Notice No.782/10/GHMC/KZ/Cir-35/TPS/2026 dated 15.05.2026, and pass orders, in accordance with law, by considering the explanation dated 23.05.2026 submitted by the petitioners, by issuing notice to the petitioners, respondent No.6 and all other concerned/interested persons, by affording opportunity of hearing to them, within a period of four (4) weeks from the date of receipt of a copy of this order. Until such exercise is completed, *status quo*, obtaining as on today, shall be maintained in respect of the property bearing H.Nos.3-5-782/10/5, 3-5-782/11/2 and 3-5-782/10/6, King Koti, Parda Gate, Himayathnagar, Hyderabad.

Further, petitioners are directed not to raise any further construction on the subject property. There shall be no order as to costs.

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

SD/- T. SRINIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

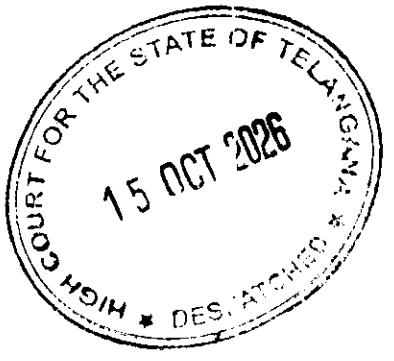
1. The Principal Secretary, Municipal Administration and Urban Development Department, Hyderabad, State of Telangana.
2. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund Road, Hyderabad.
3. The Zonal Commissioner, Khairtabad Zone, GHMC, Hyderabad.
4. The Deputy Commissioner, Circle No.35, GHMC, Khairtabad, Hyderabad.
5. The Assistant City Planner, Circle No.35, GHMC, Khairtabad, Hyderabad.
6. One CC to SRI MD.AJMAL AHMED, Advocate [OPUC]
7. One CC to SRI ABDUL AZAM KHAN, Advocate [OPUC]
8. One CC to SRI MIDDE ARUN KUMAR, SC FOR GHMC [OPUC]
9. Two CCs to GP FOR MCPL ADMN & URBAN DEV, High Court for the State of Telangana, at Hyderabad [OUT]
10. Two CD Copies

BSR

CC TODAY

HIGH COURT

DATED: 13/10/2026



ORDER

WP.Nos.27285, 31680 & 34713 of 2026

ALLOWING ALL THE WRIT PETITIONS,

WITHOUT COSTS

13 MT

15/10/26