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

MONDAY, THE FIFTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

WRIT PETITION NO: 33374 OF 2026

Between:

Mr.Akula Laxman, S/o: Late Bhimaiah, age about 41 years, Occ: vigatable seller, R/o H. No 2-71/3, Village and Mandal Pitlam and District Kamareddy

...PETITIONER

AND

1. The State of Telangana, Rep by its Principal Secretary Panchayat Raj and Rural Development Department Secretariat Building Hyderabad 500022.
2. The District Panchayat Raj Officer (DPO),, at Integreated Compilax, Kamareddy, district Kamareddy
3. The Mandal Development Officer (MPDO), at Pitlam Village as mandal, District Kamareddy
4. The Pitlam Gram Panchayat, Rep by its Panchayat Secretary Pitlam village and mandal Kamareddy District.

...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 Writ Order or Direction more particularly one in the nature of WRIT of MANDAMUS declaring the inaction of Respondent No 4 in not considering the application dated 10-09-2026 made by the petitioner for the construction of the building of First Floor and Second Floor on the Shutter bearing No 2-71/3 situated at Pitlam village and Mandal, Kamareddy district admeasuring 56.25 Sq.Yds is illegal, arbitrary, unconstitutional, violative of Articles 14, 21, and 300-A of the Constitution of India and consequently direct respondent No 4, and consequently direct the

respondent no 4 not to dispossess or demolish any structure. And to dispose of the said application within a specified time frame.

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 set aside the notice ROC. NO../188/2026 dated 23-09-2026 and pass an interim order by granting construction permission of the proposed First Floor and second Floor, while pending disposal of the Writ Petition, and pass pending disposal of the above writ petition.

Counsel for the Petitioner: M/S GIX LAW FIRM AND LEGAL SERVICES

Counsel for the Respondent Nos.1 to 3: GP FOR PANCHAYAT RAJ RURAL DEV

Counsel for the Respondent No.4: SRI PRADEEP REDDY KATTA, SC FOR GRAM PANCHAYAT

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

DATE: 05.10.2026

WRIT PETITION No.33374 OF 2026
(CNR No.HBHC010680852026)

Between:
Mr.Akula Laxman

...Petitioner

AND

The State of Telangana,
Rep by its Principal Secretary,
Panchayat Raj and Rural Development Department,
Secretariat Building, Hyderabad - 500022 and others.

...Respondents

ORDER

This Writ Petition has been filed seeking the following relief:

....to issue Writ Order or Direction more particularly one in the nature of WRIT of MANDAMUS declaring the inaction of Respondent No.4 in not considering the application dated 10-09-2026 made by the petitioner for the construction of the building of First Floor 86 Second Floor on the Shutter bearing No.2-71/3 situated at Pitlam Village and Mandal, Kamareddy District admeasuring 56.25 Sq.Yds is illegal, arbitrary, unconstitutional, violative of Articles 14, 21, and 300-A of the Constitution of India and consequently direct respondent No.4, and consequently

direct the respondent No.4 not to dispossess or demolish any structure. And to dispose of the said application within a specified time frame and pass and to pass...

2. Heard M/s. Gix Law Firm and Legal Services, learned counsel appearing for the petitioner, and Sri Pradeep Reddy Katta, learned Standing Counsel for Gram Panchayat, appearing for respondent No.4. With their consent, this Writ Petition is taken up for disposal at the admission stage itself.

3. The brief facts of the case are that the petitioner purchased the shutter bearing No.2-71/3 under Sale Deed No.2725 of 2015, dated 03.08.2015, registered before the Sub-Registrar, Banswada, District Kamareddy, admeasuring 56.25 Sq. Yards, situated at Pitlam Village and Mandal, Kamareddy District, with permission bearing No.78/14, dated 24.11.2014. The petitioner's mother purchased the adjacent property under Sale Deed No.316 of 2002, dated 06.02.2002, in Sy.No.39/E-2, H.No.2-71/2, admeasuring 45 Sq. Yards, with permission bearing No.40/07, dated 26.09.2007. As both properties are situated side by side, the petitioner approached a mediator for obtaining permission for construction of the First and Second Floors. An application dated 10.09.2026 was submitted along with the relevant documents, wherein both properties were shown together as measuring 100 Sq. Yards.

The petitioner thereafter proceeded with the construction under the impression that the requisite permission was granted. On 24.09.2026, the petitioner received a notice bearing Roc.No.:/188/2026, dated 23.09.2026, from the 4th respondent-Gram Panchayat. Thereafter, the petitioner approached the Gram Panchayat office and was informed that there was no permission and that the documents submitted were not proper.

4. While the matter stood thus, the petitioner had also applied for online building permission through the TS-bPASS/Government portal on 10.09.2026 for construction of the First and Second Floors over the shutter bearing No.2-71/3. The 4th respondent thereafter issued the notice dated 23.09.2026, directing the petitioner to stop the construction of the First Floor and remove the constructed portion within three (3) days. Aggrieved by the same, the petitioner filed the present Writ Petition.

5. Learned counsel for the petitioner submits that the 4th respondent issued the notice dated 23.09.2026, directing the petitioner to stop the construction and to remove the constructed portion on the ground that the construction was made without obtaining permission.

6. Learned Standing Counsel appearing for respondent No.4 submits that the petitioner proceeded with the construction without obtaining the requisite permission from the competent authority.

7. Learned counsel for the petitioner, in support of his contention, placed reliance upon Section 7(2) of the Telangana State Building Permission Approval and Self Certification System (TS-bPASS) Act, 2020, which reads as follows:

> *"(2) For plot size upto 75 square yards (63 square meters), and the construction of ground or ground plus one floor, will not require any permission. The applicant however need to register online with a token amount of Rs.1 and duly self certifying his title, the size of the plot and floors, it shall also not require a completion certificate or occupancy certificate. Any plot bigger than 75 sq yards cannot be split for this purpose or this provision cannot be misused for taking up constructions in government or prohibited or disputed land and action as prescribed shall be initiated for violations noticed."*

8. Having regard to the above provision and the submissions made by the learned counsel for the parties, the petitioner is directed to make the requisite online registration/application, pay the token amount of Rs.1/-, and submit self-certification of the title, size of the plot and floors, as contemplated under Section 7(2) of the TS-bPASS Act, 2020, within two (2) weeks from the date of receipt of a copy of this order. Till then, *status quo* obtaining as on

today shall be maintained by both the parties. Upon submission of the requisite online registration/application by the petitioner, the respondent authorities shall consider the same and take appropriate action in accordance with law.

9. With the above directions, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, miscellaneous applications pending, if any, in this Writ Petition, shall stand closed.

SD/- K.V.O. NARSI BABU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary The State of Telangana, Panchayat Raj and Rural Development Department Secretariat Building Hyderabad 500022.
2. The District Panchayat Raj Officer (DPO),, at Integreated Compilax, Kamareddy, district Kamareddy
3. The Mandal Development Officer (MPDO), at Pitlam Village as mandal, District Kamareddy
4. The Panchayat Secretary The Pitlam Gram Panchayat, Pitlam village and mandal Kamareddy District.
5. One CC to M/s Gix Law Firm And Legal Services, Advocate [OPUC]
6. Two CCs to GP for Panchayat Raj Rural Development, High Court for the State of Telangana, at Hyderabad [OUT]
7. One CC to Sri Pradeep Reddy Katta, SC for Gram Panchayat[OPUC]
8. Two CD Copies

TJ
TKS

HIGH COURT

CC TODAY

DATED: 05/10/2026

ORDER

WP.No.33374 of 2026



DISPOSING OF THE WRIT PETITION

WITHOUT COSTS.

(11)
09/10/26
K.K