

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

WEDNESDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HON'BLE THE CHIEF JUSTICE HIMA KOHLI
AND
THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

W.P.(PIL)No.219 of 2020, W.P.No.8059 of 2020, W.P.No.17957 of 2017,
W.P.(PIL)No.63 of 2016, W.P.(PIL)No.211 of 2020,
W.P.(PIL)No.241 of 2020, W.P.(PIL)No.250 of 2020 &
W.P.(PIL)No.277 of 2020,

W.P.(PIL)No.219 of 2020,

Between:

Komatireddy Venkat Reddy, S/o. Komatireddy Papi Reddy, Aged about 55 Years, Occ. Member of Parliament, Bhongir Constituency of Lok Sabha, R/o. H.No. 8-2-293/82/HH/16, Huda Heights, MLA Colony, Near Lotus Pond, Banjara Hills, Khairatabad, Hyderabad – 500034.

...PETITIONER

AND

1. The State of Telangana, Represented by Chief Secretary, Secretariat, Hyderabad.
2. The State of Telangana, Represented by Principal Secretary, Panchayat Raj Department, Secretariat, Hyderabad.
3. The State of Telangana, rep by its Principal Secretary, Department of Municipal Administration and Urban Development Department, Secretariat Buildings, Hyderabad.
4. The Directorate of Town and Country Planning, Represented by its Director, AC Guards, Hyderabad.
5. The Directorate of Municipal Administration, Represented by its Director, Hyderabad, Telangana State.
6. The Commissioner, Panchayat Raj Department, Secretariat, Hyderabad.
7. The Hyderabad Metropolitan Development Authority, Represented by The Metropolitan Commissioner, Tarnaka, Hyderabad.
8. The Greater Hyderabad Municipal Corporation, Represented by its Commissioner, Hyderabad
9. The Commissioner and Inspector General, Registration and Stamps Department, Hyderabad
10. Yadagirigutta Temple Development Authority, Represented by its Vice - Chairman and Chief Executive Officer, Yadagirigutta, Yadadri Bhuvanagiri, Telangana.
11. The Bhongir Municipality, Represented by its Commissioner, Bhongir, Telangana.
12. The Choutuppal Municipality, Represented by its Commissioner, Choutuppal, Telangana.
13. The Aler Municipality, Represented by its Commissioner, Aler, Telangana.
14. The Yadagirigutta Municipality, Represented by its Commissioner, Yadadri Bhongir, Telangana.
15. The Pochampally Municipality, Represented by its Commissioner, Pochampally, Telangana.
16. The Mothkur Municipality, Represented by its Commissioner, Mothkur, Telangana.
17. The Chityal Municipality, Represented by its Commissioner, Chityal, Telangana.
18. The Chandur Municipality, Represented by its Commissioner, Chandur, Telangana.
19. The Thirumalagiri Municipality, Represented by its Commissioner, Thirumalagiri, Telangana.
20. The Cheryal Municipality, Represented by its Commissioner, Cheryal, Telangana
21. The Jangoan Municipality, represented by its Commissioner, Jangoan, Telangana.
22. The Ibrahimpatnam Municipality, Represented by its Commissioner, Ibrahimpatnam, Telangana.

23. The Adibatla Municipality, Represented by its Commissioner, Adibatla, Telangana.
24. The Turkayamjal Municipality, Represented by its Commissioner, Turkayamjal, Telangana.
25. The Pedda Amberpet Municipality, Represented by its Commissioner, Pedda Amberpet, Telangana.

...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:

(a) Issue a Writ, Order of direction more particularly one in the nature of Writ of Mandamus declaring Rule 10 of the Telangana Regularization of Unapproved and illegal Layout Rules, 2020 issued vide. G.O.Ms.No.131 of 2020 dated 31/08/2020 As illegal, arbitrary, unconstitutional and violative of provisions of The Telangana Urban Areas (Development) Act, 1975, Greater Hyderabad Municipal Corporation Act, 1955, Telangana Town Planning Act, 1920, Telangana Municipalities Act, 2019, Hyderabad Metropolitan Development Authority Act 2008, Telangana Panchayat Raj Act 2018 and Article 14, 21 and 300A of the Constitution of India.

(b) Issue a Writ, Order of direction more particularly one in the nature of Writ of Mandamus declaring the Rule 13 of The Telangana Regularization of Unapproved and illegal Layout Rules, 2020 issued vide. G.O.Ms.No.131 of 2020 dated 31/08/2020 As illegal, arbitrary, unconstitutional and violative of provisions of The Telangana Urban Areas (Development) Act, 1975, Greater Hyderabad Municipal Corporation Act, 1955, Telangana Town Planning Act, 1920, Telangana Municipalities Act, 2019, Hyderabad Metropolitan Development Authority Act 2008, Telangana Panchayat Raj Act 2018 and Article 14, 21 and 300A of the Constitution of India.

(c) Consequently direct the Respondents to Regularize the plots under the Telangana Regularization of Unapproved and illegal Layout Rules, 2020 without imposing any penalties.

IA NO: 1 OF 2020

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 Respondents to regularize the plots under Telangana Regularization of Unapproved and illegal Layout Rules, 2020 issued vide. G.O.Ms.No.131 of 2020 dated 31/08/2020 without imposing any penalty pending the Public Interest Litigation.

IA NO: 2 OF 2020

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 Rule 10 of The Telangana Regularization of Unapproved and illegal Layout Rules, 2020 pending the Public Interest Litigation.

IA NO: 3 OF 2020

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 Rule 13 of the Telangana Regularization of Unapproved and illegal Layout Rules, 2020 pending the Public Interest Litigation.

IA NO: 4 OF 2020

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 allow the amendment proposed vide the above Interlocutory Application and to permit the petitioner to amend the pleadings by substituting the above referred Paragraphs Nos.I, II, 45 to 47 and the Prayer (a) and (b) and Interim Prayers in the affidavit filed in support of the W.P. (PIL) No. 219 of 2020.

Counsel for the Petitioner: SRI. P. PANDU RANGA REDDY

Counsel for the Respondent No.1: THE ADVOCATE GENERAL

**Counsel for the Respondent No.2, 4 to 6:
GP FOR PANCHAYAT RAJ & RURAL DEVELOPMENT**

**Counsel for the Respondent No.3:
GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT**

Counsel for the Respondent No.7: SRI Y. RAMA RAO, SC FOR HMDA

**Counsel for the Respondent No.8: SRI SAMPATH PRABHAKAR REDDY,
SC FOR GHMC**

Counsel for the Respondent No.9: GP FOR STAMPS & REGISTRATIONS

**Counsel for the Respondent Nos.10 to 25: SRI G. NARENDER REDDY,
SC FOR GRAM PANCHAYAT**

WRIT PETITION No.8059 OF 2020

Between:

1. Smt.Kalakonda Karuna, W/o.K.Anil Kumar aged 52 years, Occ. House hold R/o. It No. 1-5-81,82 and 83,Kaman Road, Karimnagar,TS
2. Sri.Kalakonda Anil Kumar, S/o.K.Dakshana Murthy aged 55 years, Occ. Business R/o. H. No. 1-5-81,82 and 83,Kaman Road, Kariamnagar,TS.

...PETITIONERS

AND

1. The State of Telangana, Rep. by its Prl. Secretary, Municipal Administration Department, Telangana Secretariat, at Hyderabad, T S
2. The Municipal Corporation, of Karimnagar, Rep. by its Commissioner, Karimnagar Town, T.S-505 001.

...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 an appropriate writ, order or directions more particularly one in the nature of writ of Mandamus, declaring -the action of the respondents more particularly respondent No.2 and their sub-ordinates in interfering with the petitioners peaceful

possession and enjoyment over the house bearing No.1-5-81, 82 and 83, situated at Kaman Road, Karimnagar town, TS and threatening to demolish the petitioners house under the guise of notice vide Roc.No.2/UC/TPBO 01/2019, dated.29/01/2020 issued under section 635 of HMC Act-11 of 1955, even during pending of petitioners BPS application vide No.G1/1327/23/2015/KNR, dated 25/01/2016 and reply dated.12/10/2017 and in spite of receipt of reply letter dated.14-02-2020 submitted by the petitioner, as highly illegal, arbitrary and bad and contrary to the common order dated.18/10/2016 in WP No.5130 of 2016 and batch passed the Hon'ble' High Court at Hyderabad and in violation of Articles of Constitution of India and consequently direct the respondents and their sub-ordinates not to interfere with the petitioners peaceful possession and enjoyment over the house bearing No.1-5-81,82 and 83, situated at Kaman Road. Karimnagar town, TS, including demolition in any manner henceforth.

IA NO: 1 OF 2020

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 stay all further proceedings including demolition of petitioners house bearing 1-5-81, 82 & 83, situated at Kaman Road, Karimnagar town, TS under guise of notice vide Roc.No.2/UC/TPBO 01/2019, dated.29-01-2020 issued under section 635 of HMC Act-II of 1955 by the respondent No.2, pending disposal of the above writ petition.

Counsel for the Petitioners: SRI. BETHI VENKATESWARLU

Counsel for the Respondent No.1:

GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT

Counsel for the Respondent No.2: SRI V. SATYAM REDDY,

SC FOR KARIMNAGAR MUNICIPAL CORPORATION

WRIT PETITION NO: 17957 OF 2017

Between:

Kallepalli Rajavva, W/o Balaiah, Aged 50, years, Husnapur, Karimnagar, Karimnagar District.

...PETITIONER

AND

1. The State of Telangana, rep. by its Principal Secretary, (Municipal Administration Department) Secretariat, Hyderabad.
2. The District Collector, Karimnagar.
3. The Karimnagar Municipal Corporation, Rep. by its, Commissioner, Karimnagar, Karimnagar 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 a Writ, order or direction, especially one in the nature of Writ of Mandamus declaring the action of the 3rd respondent in not considering the regularization application G2/5068/32/2016/KNR Dt.01-03-2016 and subsequent representation submitted on 24.04.2017 by the petitioner herein, as illegal, arbitrary and violative of

Articles 14 and 21 and 300 A of the Constitution of India and consequently direct the 3rd respondent consider the application of the petitioner for regularization.

WPMP. NO: 21923 OF 2017

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 consider the regularization application G2/5068/32/2016/KNR Dt.01 -03-2016 and subsequent representation submitted on 24.04.2017 submitted by the petitioner herein, pending disposal of the above Writ Petition.

Counsel for the Petitioner: SRI. E.V.V.S. RAVI KUMAR

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

Counsel for the Respondent No.2: GP FOR REVENUE

**Counsel for the Respondent No.3: SRI V. SATYAM REDDY,
SC FOR KARIMNAGAR MUNICIPAL CORPORATION**

W.P.(PIL)No.63 OF 2016

Between:

Forum For Good Governance, (A non - profit organization registered vide registration No.653 dt. 19.10.2009), Having its registered office at Flat No. 204, G. K. R. Mansion, Saifabad, Lakdi - Ka - Pul, Hyderabad - 500 004, Represented by its Secretary, Sri M Padmanabha Reddy, S/o Sri M Ganga Reddy, aged about 74 years, R/o Plot No. 91, Amar Society, Madhapur, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, Represented by its Principal Secretary, Municipal Administration & Urban Development, Secretariat, Hyderabad.
2. The Greater Hyderabad Municipal Corporation, Represented by its Commissioner, Boorgula Rama Krishna Rao Bhawan, Hyderabad
3. The Commissioner, Greater Hyderabad Municipal Corporation, Boorgula Rama Krishna Rao Bhawan, Hyderabad.
4. The Hyderabad Municipal Water Supply & Sewerage, Board, Represented by its Vice Chairman Cum Managing Director, Khairatabad, Hyderabad
5. The Telangana State Transmission Corporation, Represented by its Managing Director, Somajiguda, 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 a Direction, one more in the nature of a Writ of Mandamus declaring:-

- i. the action of the Respondents in proposing to extend the cut off date from 15.12.2007 to 28.10.2015 by way of an amendment to Section 455 - AA of the GHMC Act, 1955 for the purpose of regularizing illegal constructions made within the territorial jurisdiction of the Greater Hyderabad Municipal Corporation vide Section 11 of the Greater Hyderabad Municipal Corporation (Amendment) Act, 2016 published in the State Gazette No.5, dated 19.04.2016 as illegal, arbitrary and unconstitutional being in violation of Articles 14 and 21 of the Constitution of India; and

- ii. the action of the Respondents in proposing to regularize illegal constructions made within the territorial jurisdiction of the Greater Hyderabad Municipal Corporation by issuing orders in G.O.Ms.No.152 MA & UD (M1) Department dated 02.11.2015 as illegal, arbitrary and unconstitutional being in violation of Articles 14 and 21 of the Constitution of India; and
- iii. consequently quash Section 11 of the Greater Hyderabad Municipal Corporation (Amendment) Act, 2016 published in the State Gazette No. 5, dated 19.04.2016; and iv, further consequently quash the Rules in G.O.Ms. No.152 M A & UD (M1) Department dated 02.11.2015;

WP(PIL)MP. NO: 116 OF 2016

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 Respondents 4 and 5 not to give regular connections or in the alternative to levy the penal tariffs on all such constructions, that do not have Occupancy Certificate as contemplated under Rule 26 (g) of the Andhra Pradesh Building Rules, 2012 notified under G.O.Ms.No.168 dated 07.04.2012.

WP(PIL)MP. NO: 117 OF 2016

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 Respondents to initiate and complete a drive to cause demolition of all the illegal structures constructed without permission or authorization or in deviation with the sanctioned plan in accordance with law within a period of 3 Months and file an action take report before this Honorable Court.

WP(PIL)MP. NO: 118 OF 2016

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 orders in G.O.Ms. No. 152, M.A. & U.D. (M1) Department, dated 02.11.2015.

WP(PIL)MP. NO: 119 OF 2016

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 Section 11 of the Greater Hyderabad Municipal Corporation (Amendment) Act, 2016 published in the State Gazette No. 5, dated 19.04.2016.

Counsel for the Petitioner: SRI. SIVARAJU SRINIVAS

Counsel for the Respondent No.1: THE ADVOCATE GENERAL

**Counsel for the Respondent Nos.2 & 3: SRI ASHOK KUMAR NEELI,
SC FOR GHMC**

Counsel for the Respondent No.4: SRI T. SUDHAKAR REDDY, SC FOR HMWS&SB

Counsel for the Respondent No.5: SRI R. VINOD REDDY, SC FOR TSSPDCL

W.P.(PIL)No.211 OF 2020**Between:**

Forum for Good Governance, (A non - profit organization registered vide registration No. 653 dt. 19.10.2009), Having its registered office at Flat No. 204, G. K. R. Mansion, Saifabad, Lakdi - Ka - Pul, Hyderabad - 500 004, Represented by its General Secretary, M Padmanabha Reddy, s/o.M Ganga Reddy, aged about 79 years, Resident of Villa No.59, VISTAS, Near G.V.K. Kompally, Hyderabad - 500 078.

...PETITIONER**AND**

1. The State of Telangana, Rep. by its Chief Secretary to the Govt. Secretariat, BRKR Bhavan, Hyderabad - 500 029.
2. The State of Telangana, Rep. by its Chief Secretary to Govt. Municipal Administration and Urban Development (Plg.III) Department, Secretariat, BRKR Bhavan, Hyderabad - 500 029.
3. The Principal Secretary, Panchayat Raj and Rural Development Department, Government of Telangana Secretariat, BRKR Bhavan, Hyderabad - 500 029.
4. The Commissioner, Greater Hyderabad Municipal Corporation (GHMC), Tankbund, Hyderabad - 500 029.
5. The Commissioner, Hyderabad Metropolitan Development Authority (HMDA), Tarnaka, Hyderabad - 500 007

...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 declaring the action of second respondent in issuing impugned G.O.Ms.No.131, Municipal Administration and Urban Development (Plg.III) Department, dated 31.08.2020 which contains Telangana Regularization of Unapproved and illegal Layout Rules, 2020 for regularization of unapproved and illegal layouts in the State of Telangana for both rural and urban areas as illegal, arbitrary, malafide and in violative of Section 58 of Telangana Urban Areas (Development) Act, 1975, Section 585 of the GHMC Act, 1955, Section 44 (2) (v) of the Telangana Town Planning Act, 1920, Section 238 (1) of the Telangana Municipalities Act, 2019, Section 56(1) of HMDA Act, 2008, Section 286 of Telangana Panchayat Raj Act, 2018 and set aside the same.

IA NO: 1 OF 2020

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 G.O.Ms.No.131, Municipal Administration and Urban Development (Plg.III) Department, dated 31.08.2020 issued by second respondent, pending disposal of the above writ petition (PIL)

IA NO: 2 OF 2020**Between:**

OORATA (A Social and non-profitable Organization), rep. by its Founder Smt. DSV Mahalakshmi, Office at Door No.6-3-1177/A, Flat No.6, Suryakiran Apartments, BS Maktha, Begumpet, State of Telangana.

...Proposed Petitioner/Respondent No.6

AND

1. Forum for Good Governance, (A non - profit organization registered vide registration No. 653 dt. 19.10.2009), Having its registered office at Flat No. 204, G. K. R. Mansion, Saifabad, Lakdi - Ka - Pul, Hyderabad - 500 004, Represented by its General Secretary, M Padmanabha Reddy, s/o.M Ganga Reddy, aged about 79 years, Resident of Villa No.59, VISTAS, Near G.V.K. Kompally, Hyderabad - 500 078.

.....Respondent No.1/Writ (PIL) Petitioner

2. The State of Telangana, Rep. by its Chief Secretary to the Govt. Secretariat, BRKR Bhavan, Hyderabad - 500 029.

.....Respondent No.2/Respondent No.1

3. The State of Telangana, Rep. by its Chief Secretary to Govt. Municipal Administration and Urban Development (Plg.III) Department, Secretariat, BRKR Bhavan, Hyderabad - 500 029.

.....Respondent No.3/Respondent No.2

4. The Principal Secretary, Panchayat Raj and Rural Development Department, Government of Telangana Secretariat, BRKR Bhavan, Hyderabad - 500 029.

.....Respondent No.4/Respondent No.3

5. The Commissioner, Greater Hyderabad Municipal Corporation (GHMC), Tankbund, Hyderabad - 500 029.

.....Respondent No.5/Respondent No.4

6. The Commissioner, Hyderabad Metropolitan Development Authority (HMDA), Tarnaka, Hyderabad - 500 007.

.....Respondent No.6/Respondent No.5

Petition under Order I, Rule 10 of Civil Procedure Code and Rule 16(a) of Writ Proceedings Rules, 1977, praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to order implemented of Petitioner as party Respondent No.6 in W.P(PIL).No. 211/2020 and consider the points urged against the impugned G.O.Ms.No.131 dated 31/08/2020 and its amendment in G.O.Ms.No.135 dated 16.09.2020 in the interest of justice or else the Petitioner herein will be put to great hardship and suffer irreparable loss.

IA NO: 1 OF 2021

Between:

1. Forum for Good Governance, (A non - profit organization registered vide registration No. 653 dt. 19.10.2009), Having its registered office at Flat No. 204, G. K. R. Mansion, Saifabad, Lakdi - Ka - Pul, Hyderabad - 500 004, Represented by its General Secretary, M Padmanabha Reddy, s/o.M Ganga Reddy, aged about 79 years, Resident of Villa No.59, VISTAS, Near G.V.K. Kompally, Hyderabad - 500 078.

...Petitioner/Petitioner

2. Konni Venkanna, S/o Gopaiah, Aged 51 years, Occ: Social Activist, R/o 11-8-55, Lenin Nagar, Khammam Town, Khammam District, Telangana.

...Petitioner/Proposed Petitioner No.2

AND

1. The State of Telangana, Rep. by its Chief Secretary to the Govt. Secretariat, BRKR Bhavan, Hyderabad - 500 029.
2. The State of Telangana, Rep. by its Chief Secretary to Govt. Municipal Administration and Urban Development (Plg.III) Department, Secretariat, BRKR Bhavan, Hyderabad - 500 029.
3. The Principal Secretary, Panchayat Raj and Rural Development Department, Government of Telangana Secretariat, BRKR Bhavan, Hyderabad - 500 029.

4. The Commissioner, Greater Hyderabad Municipal Corporation (GHMC), Tankbund, Hyderabad - 500 029.
5. The Commissioner, Hyderabad Metropolitan Development Authority (HMDA), Tarnaka, Hyderabad - 500 007

...Respondents

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 implead the proposed Petitioner as Petitioner No 2 in W.P.(PIL).No .211 of 2020.

Counsel for the Petitioner: SMT. K.V. RAJASREE

Counsel for the Proposed Petitioner: M/s. KRUTHI KALAGA

Counsel for the Respondent No.1: THE ADVOCATE GENERAL

**Counsel for the Respondent No.2:
GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT**

**Counsel for the Respondent No.3:
GP FOR PANCHAYAT RAJ & RURAL DEVELOPMENT**

Counsel for the Respondent No.4: SRI N. ASHOK KUMAR, SC FOR GHMC

Counsel for the Respondent No.5: SRI V. NARASIMHA GOUD, SC FOR HMDA

Counsel for the Proposed Respondent: SRI CH. RAMESH BABU

W.P.(PIL)No.241 OF 2020

Between:

Sri Kappara Prasad Rao, S/o Late Sri Kappara Raghupathi Rao, Aged About 53 years, R/o 1-6-212/64/16, Municipal Colony, Parsi Gutta, Musheerabad, Hyderabad, Telangana State-500020.

...PETITIONER

AND

1. The State of Telangana, rep. by its Chief Secretary, Secretariat Building, Hyderabad.
2. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Building, Hyderabad.
3. The State of Telangana, Rep. by its Principal Secretary, Panchayath Raj Department.
4. The Director of Municipal Administration, Hyderabad, Telangana State.
5. Hyderabad Metropolitan Development Authority, Rep. by its Commissioner, HMDA Buildings, Tarnaka. Hyderabad, Telangana State.
6. The Director of Town and Country planning, Telangana, 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 nature of Writ of Mandamus, declaring the action of 1st respondent in issuance of G.O.Ms.No.131 dated 31/08/2020 (Regularization of unapproved and illegal layout Rules 2020 for urban and rural areas) as illegal, arbitrary, unjust and violate of fundamental rights guaranteed under constitution of India and consequently set aside the same.

IA NO: 1 OF 2020

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 said G.O Ms No.131 dated 31/08/2020 issued by the respondents, pending disposal or the main writ petition.

Counsel for the Petitioner: SRI. T. SUJAN KUMAR

Counsel for the Respondent Nos.1, 2 & 4:

GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT

Counsel for the Respondent No.3:

GP FOR PANCHAYAT RAJ & RURAL DEVELOPMENT

**Counsel for the Respondent Nos.5 & 6: SRI V. NARASIMHA GOUD,
SC FOR HMDA**

W.P.(PIL)No.250 OF 2020

Between:

P. Sreedhar Reddy, S/o Late P.Mruthunjaya Reddy, aged. 55 years, Occupation Practicing Advocate at Hyderabad, R/o H.No.12-5/29/5/2, Vijayapuri Colony, Tarnaka, Secunderabad- 17.

...PETITIONER

AND

1. The State of Telangana, Represented by Chief Secretary, Secretariat, Hyderabad.
2. The State of Telangana, Represented by Principal Secretary, Panchayat Raj Department, Secretariat, Hyderabad.
3. The State of Telangana, Rep by its Principal Secretary, Department of Municipal Administration and Urban Development Department, Secretariat Buildings, Hyderabad.
4. The Directorate of Town and Country Planning, Represented by its Director, AC Guards, Hyderabad.
5. The Directorate of Municipal Administration, Represented by its Director, Hyderabad, Telangana State.
6. The Commissioner, Panchayat Raj Department, Secretariat, Hyderabad.
7. The Hyderabad Metropolitan Development Authority, Represented by The Metropolitan Commissioner, Tarnaka, Hyderabad.
8. The Greater Hyderabad Municipal Corporation, Represented by its Commissioner, Hyderabad.
9. The Commissioner, and Inspector General, Registration and Stamps Department, 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 Writ, Order, Direction more particularly one in the nature of Writ of Mandamus declaring the Telangana Regularization of Unapproved and illegal Layout Rules, 2020 issued vide. G.O.Ms.No.131 of 2020 dated 31.08.2020 and its amendment issued vide G.O.Ms. No. 135 dated 16-09-2020 as illegal, arbitrary, unconstitutional and violative of provisions of The Telangana Urban Areas (Development) Act, 1975, Greater Hyderabad Municipal Corporation Act, 1955, Telangana Town Planning Act, 1920, Telangana Municipalities Act, 2019, Hyderabad Metropolitan Development Authority Act 2008, Telangana Panchayat Raj Act 2018 and The Registration Act, 1908 and the rights guaranteed under Article 14, 21 and 300A of the Constitution of India and consequently set aside the same.

IA NO: 1 OF 2020

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 Respondents to regularize the plots under Telangana Regularization of Unapproved and illegal Layout Rules, 2020 issued vide. G.O.Ms.No.131 of 2020 dated 31/08/2020 without imposing any penalty pending the Public Interest Litigation.

IA NO: 2 OF 2020

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 Rule 2 (e), Rule 4, Rule 6 (1), Rule 8 and Rule 11 of The Telangana Regularization of Unapproved and illegal Layout Rules, 2020 (as amended) pending the Public Interest Litigation.

Counsel for the Petitioner: SRI. V.M.M. CHARY

Counsel for the Respondent No.1 to 3: THE ADVOCATE GENERAL

Counsel for the Respondent No.4: GP FOR FINANCE & PLANNING

**Counsel for the Respondent No.5:
GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT**

**Counsel for the Respondent No.6:
GP FOR PANCHAYAT RAJ & RURAL DEVELOPMENT**

Counsel for the Respondent No.7: SRI Y. RAMA RAO, SC FOR HMDA

Counsel for the Respondent No.8: SRI N. ASHOK KUMAR, SC FOR GHMC

Counsel for the Respondent No.9: GP FOR STAMPS & REGISTRATIONS

W.P.(PIL)No.277 OF 2020

Between:

Addanki Dayakar, S/o Addanki Ramalachu, Aged 48 years, Occ: Official Spokes Person of Telangana Pradesh Congress Committee, R/o. B-78, Patigadda, Near Sanjeevaiah Park, Secunderabad, Hyderabad-03.

...PETITIONER

AND

1. Union of India, Rep by its Principal Secretary to Ministry of Law and Justice, 4th Floor, A-Wing, Shastri Bhawan, New Delhi, Delhi 110001.
2. The State of Telangana, Rep. by its Chief Secretary, Telangana Secretariat, Hyderabad-500 022.
3. The State of Telangana, Rep. by its Principal Secretary, Revenue (Registration and Stamps Department), Telangana Secretariat, Hyderabad-500 022.
4. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Telangana Secretariat, Hyderabad-500 022.
5. The State of Telangana, Rep. by its Principal Secretary, Panchayat Raj and Rural Development Department, Telangana Secretariat, Hyderabad-500 022.
6. The Registration and Stamps Department, Rep. by its Commissioner and Inspector General, 5-3-953, Nizam Shahi Rd, Mozamjahi Market, Hyderabad, Telangana 500095.
7. The Directorate of Town and Country Planning, Rep by its Director, Office at.3rd to 5th Floors, 640, AC Guards, Opp. PTI Building, Hyderabad - 500004.

...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 Writ of Mandamus or any other appropriate writ declaring:

1. Writ of Mandamus declaring the actions of the respondents prohibiting registration of individual properties on pretext of Unapproved Layout/ Plot/Subdivision/Structure/Building/Sanctioned Plan through state laws, rules, memo and scheme in contradictory, repugnant to Central Acts such as The Registration Act 1908 and The Transfer of Property Act 1882 as arbitrary, violation of article 14, 246, 254 (2) & 300A of the Indian Constitution and consequently struck down Memo No.G2/257/2019 dated 26/08/2020 and section 172 (16) and Section 178 (3) of Telangana Municipalities Act 2019, Section 113 (8) of Telangana Panchayat Raj Act 2018 and Rule 26 (h) of common Building Rules G.O. Ms. No. 168 MAUD Department dated 07-04-2012, Rule 2(e) and Rule 13 (b) of Telangana Regularization of Unapproved and Illegal Layout rules 2020 of Urban Rural Areas issued under G.O.Ms. No. 131 dated 31/08/2020 issued by the respondents.2.

IA NO: 1 OF 2020

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 Memo No. G2/257/2019 dated 26/08/2020 issued by Respondent No.6.

Counsel for the Petitioner: SRI. YAKARAPU SHEELU

**Counsel for the Respondent No.1: SRI NAMAVARAPU RAJESHWAR RAO,
ASSISTANT SOLICITOR GENERAL**

Counsel for the Respondent No.2: GP FOR GENERAL ADMINISTRATION

Counsel for the Respondent Nos.3 & 6: GP FOR REVENUE

**Counsel for the Respondent Nos.4 & 7:
GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT**

**Counsel for the Respondent No.5:
GP FOR PANCHAYAT RAJ & RURAL DEVELOPMENT**

The Court made the following: COMMON ORDER

Items No.21-28

THE HON'BLE THE CHIEF JUSTICE HIMA KOHLI
AND
THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

W.P (PIL) No.219 OF 2020, W.P.No.8059 OF 2020,
W.P. No.17957 OF 2017, W.P (PIL) No.63 OF 2016,
W.P (PIL) No.211 OF 2020, W.P (PIL) No.241 OF 2020,
W.P (PIL) No.250 OF 2020 & WP (PIL) No.277 OF 2020

COMMON ORDER: *(Per the Hon'ble the Chief Justice Hima Kohli)*

1. Learned counsel for the respondent/State states that he has filed a copy of **W.P (C) No.1236 of 2020** entitled Juvvadi Sagar Rao v. Union of India and others which is pending before the Supreme Court wherein, the State of Telangana has been impleaded as the respondent No.5 and the States of Tamil Nadu and Andhra Pradesh as the respondents No.6 and 7.

2. A challenge has been laid to G.O.Ms.No.287 dated 03.04.2008 and G.O.Ms.No.276 dated 02.07.2010 in the said petition wherein notice was issued by the Supreme Court on 16.12.2020. Further, the petitioner therein has been directed to implead all the State Governments/Union Territories in the said matter. Learned counsel states that service has yet to be effected on the newly impleaded respondents and the State of Telangana has not yet filed a counter affidavit.

3. In view of the aforesaid submission, it is deemed appropriate to close all the petitions. After the Supreme Court takes a decision in the captioned petition, it shall be for the parties to seek consequential relief, if any, by approaching the Government authorities.

4. The present petitions are accordingly closed along with the pending applications, if any, with a direction that the order dated 18.10.2016 passed in W.P (PIL).No.63 of 2016 shall continue to operate till a decision is taken by the Supreme Court on the captioned petition.

SD/- T.TIRUMALA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//



SECTION OFFICER

To,

1. One CC to Sri P. Pandu Ranga Reddy, Advocate [OPUC]
2. Two CCs to the Advocate General, High Court for the State of Telangana at Hyderabad. [OUT]
3. Two CCs to GP for Panchayat Raj & Rural Development, High Court for the State of Telangana at Hyderabad. [OUT]
4. Two CCs to GP for Municipal Administration and Urban Development, High Court for the State of Telangana at Hyderabad. [OUT]
5. Two CCs to GP for Stamps and Registrations, High Court for the State of Telangana at Hyderabad. [OUT]
6. One CC to Sri Y. Rama Rao, SC FOR HMDA [OPUC]
7. One CC to Sri Sampath Prabhakar Reddy, SC FOR GHMC [OPUC]
8. One CC to Sri N. Praveen Kumar, SC for Municipalities [OPUC]
9. One CC to Sri Bethi Venkateswarlu, Advocate [OPUC]
10. One CC to Sri V. Satyam Reddy, SC for Karimnagar Municipal Corporation [OPUC]
11. One CC to Sri E.V.V.S. Ravi Kumar, Advocate [OPUC]
12. One CC to Sri Sivaraju Srinivas, Advocate [OPUC]
13. One CC to Sri Ashok Kumar Neeli Advocate [OPUC]
14. One CC to Sri T. Sudhakar Reddy, SC FOR HMWS&SB [OPUC]
15. One CC to Sri R. Vinod Reddy, SC FOR TSSPDCL [OPUC]
16. One CC to Smt K.V. Rajasree, Advocate [OPUC]
17. One CC to Sri V. Narasimha Goud, SC FOR HMDA [OPUC]
18. One CC to M/s. Kruthi Kalaga, Advocate [OPUC]
19. One CC to Sri Ch. Ramesh Babu, Advocate [OPUC]
20. One CC to Sri T. Sujjan Kumar, Advocate [OPUC]
21. One CC to Sri V.M.M. Chary, Advocate [OPUC]
22. One CC to Sri Yakarapu Sheelu, Advocate [OPUC]
23. One CC to Sri Namavarapu Rajeshwar Rao, Assistant Solicitor General [OPUC]
24. Two CCs to GP for General Administration, High Court for the State of Telangana at Hyderabad. [OUT]
25. Two CD Copies

CHR



HIGH COURT



DATED:28/04/2021



COMMON ORDER

W.P.(PIL)No.219 of 2020, W.P.No.8059 of 2020,
W.P.No.17957 of 2017, W.P.(PIL)No.63 of 2016,
W.P.(PIL)No.211 of 2020, W.P.(PIL)No.241 of 2020,
W.P.(PIL)No.250 of 2020 & W.P.(PIL)No.277 of 2020,

DISMISSING THE WRIT PETITIONS
WITHOUT COSTS

(31) VLW
14/6/21