

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

THE HON'BLE SRI JUSTICE SUDDALA CHALAPATHI RAO

WRIT PETITION No.8421 of 2013

DATE: 09.07.2026

Between:

Yarala Narasimha Reddy and 4 others

...Petitioners

AND

Hyderabad Metropolitan Development Authority,
Rep. by its Vice Chairman and Managing Dir.,
Tarnaka, Hyderabad and 3 others

...Respondents

ORDER:

Heard Mr. V. Ravinder Rao, learned Senior Counsel appearing for the petitioners; Mr. V. Siddhartha Goud, learned counsel representing Mr. V. Narasimha Goud, learned Standing Counsel for HMDA appearing for respondent No.1; and Mr. G.Madhusudhan Reddy, learned Standing Counsel for GHMC appearing for respondent Nos.2 to 4.

2. The Writ Petition is filed seeking the following relief:

“.....to issue a writ of mandamus or any other appropriate writ declaring the action of the respondents in demolishing the structures and compound walls in plot Nos.138, 140, 141, 142 and 144 of the sanctioned layout formed by Survey of Indian Cooperative Housing Society Ltd in Sy.Nos.11/19, 11/20 and 11/21 of Khanamet Village and the proposed action of converting 30 feet road within the said layout into a 36 m (118 feet) road or 80 feet road for diverting the approved master plan road, as illegal arbitrary and contrary

to the mandates of sections 12, 14, 15, 18 of the AP Urban Areas (Development) Act, 1975 and article 300 A of the Constitution of India and consequently direct the respondents to restore the structures demolished in the said plots of the petitioners and be pleased to pass such other orders as deemed fit and proper in the circumstances of the case.”

3. Mr. V. Ravinder Rao, learned Senior Counsel appearing for the petitioners, by asserting the contentions in the writ affidavit filed in support of the writ petition, would contend that the petitioners are the owners and possessors of plots bearing Nos.138, 140, 141, 142 and 144 in the sanctioned layout prepared by Survey of India Cooperative Housing Society Ltd., in survey Nos.11/19, 11/20 and 11/21 of Khanamet Village, as approved by the Kondapur Gram Panchayat on 12.03.1981, which clearly depicts the master plan roads passing through the layout and also the internal roads to different plots. It is further contended that as per the said sanctioned layout, a 30 feet road was existing and now, the respondent authorities-HMDA are proposing to increase the width of the said road from 30 feet to 80/120 feet road, which is clearly affecting the rights of the petitioners over their respective plots.

4. Learned Senior Counsel would further contend that since the petitioner has purchased the said plots by distinct registered sale deeds, the authorities are duty bound to follow the statutory principles of law

under the HMDA Act, 2008, by issuing notice to the petitioners and thereafter, determination as to the payment of compensation for acquiring the said lands shall be made by passing an award.

5. Per contra, learned Standing Counsel for GHMC appearing for respondent Nos.2 to 4 would contend that the petitioners, who are the employees of Geological Survey of India, have purchased the said plots by their earnings and they cannot be deprived of the same under the guise of the master plan, by converting the existing 30 feet internal road, passing through the layout, to 80/120 feet road, without following due process of law.

6. Per contra, learned Standing Counsel for HMDA appearing for respondent No.1 reiterating the contentions in the counter-affidavit would contend that the Khanamet Village is presently falling under the jurisdiction of respondent No.2 herein and in fact, respondent No.2 is vested with possession, development and control over the area of Khanamet Village and it is also stated that respondent No.2 is competent to grant building permission of the subject area in question.

7. Learned Standing Counsel for HMDA would further contend that the HMDA has only prepared the master plan and sent to Government for its approval. The then Government of Andhra Pradesh has approved the master plan *vide* G.O.Ms.No.MA dated 24.10.2001, which was duly

notified in the gazette. As such, master plan came into existence, according to which 30 feet internal road is passing through the layout approved by the then Gram Panchayat in survey Nos.11/19, 11/20 and 11/21 of Khanamet Village.

8. Learned Standing Counsel for HMDA would further contend that the title dispute in relation to the very same subject property is *sub judice* before the Hon'ble Supreme Court in Civil Appeal Nos.6326 and 6329 of 2011, wherein *status quo* order has been granted and is operating as on date.

9. In reply, learned Senior Counsel appearing for the petitioners would contend that the title is not pending adjudication before the Hon'ble Supreme Court and the *lis pending* is in respect of compensation since the petitioners have purchased the subject plots by distinct sale deeds by parting with their self-earnings, and respondent No.2 being the statutory authority, is duty bound to follow due process of law.

10. Evidently, when the matter was initially posted before this Court on 20.03.2013, this Court while admitting the writ petition had passed an interim order in W.P.M.P.No.10506 of 2013 in W.P.No.8421 of 2013, which reads as under:

“There shall be interim direction not to interfere with the possession of the petitioners over Plot Nos.138, 140, 141, 142 and 144 of the sanctioned layout

formed by Survey of India Cooperative Housing Society Limited in Sy.No.11/19, 11/20 and 11/21 of Khanamet Village, Serilingampally Mandal, Ranga Reddy District, except by following due process of law.”

11. Therefore, even the interim order specifically states that respondents shall not interfere into the peaceful possession and enjoyment of the respective petitioners over the respective land without following due process of law.

12. Though learned Standing Counsel for HMDA contended that the master plan cannot be kept in abeyance by virtue of its notification, since it is not the case of the petitioners that the master plan is not properly issued, but their grievance in the writ petition is that the authorities being statutory authorities, are bound to follow the procedure prescribed under law by initiating land acquisition proceedings and pay compensation to the affected portion of the land, and unless and until the compensation is paid, the petitioners cannot be dispossessed from their respective properties and thus, the demolition of the compound wall and the structures as on the date, is nothing but abusive of process of law.

13. Since the main grievance of the petitioners is that their plots are being affected by the master plan, in that view of the matter, respondent Nos.1 and 2 are hereby directed to follow due procedures of law, more particularly the statutory provisions of the HMDA Act, 2008, or any other

applicable laws, to demarcate the affected portion of the petitioners' properties by conducting proper survey with due intimation to the petitioners and there upon, determine the compensation strictly in accordance with law by following provisions of the HMDA, Act, 2008, and also the Government orders issued from time to time. It is needless to mention that since the matter in respect of the very same layout is stated to be pending adjudication before the Hon'ble Supreme Court, respondent Nos.1 and 2 are at liberty to inspect what is the exact dispute pending before the Hon'ble Supreme Court by referring the matter to the legal advice and take appropriate action. If the petitioners are entitled for the payment of compensation, the respondent authorities shall disburse the amount forthwith strictly in accordance with law.

14. With the above direction, the Writ Petition is disposed of accordingly. No order as to costs.

Miscellaneous Petitions, if any, pending in this petition, shall stand closed.

SUDDALA CHALAPATHI RAO, J

Date: 09.07.2026

bj

THE HON'BLE SRI JUSTICE SUDDALA CHALAPATHI RAO

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