

THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

WEDNESDAY, THE FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

WRIT PETITION NO: 3021 OF 2026

Between:

Modem Vijay Kumar, S/o Modem Ramesh.

Petitioner

AND

1. The State of Telangana, Home Department, Rep. by its Principal Secretary, Secretariat, Hyderabad.
2. The Commissioner of Police, Warangal Police Commissionerate, Warangal
3. The Station House Officer, P.S. Subedari, Hanumakonda.

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 declaring the action of the Respondent No.3 in obstructing the petitioner from legal construction in his own land abusing his power and authority as arbitrary, illegal and unconstitutional and consequently direct the Respondent No. 3 not to harass him in any manner with regard to construction of above property;

The Petition coming on for hearing and upon perusing the petition and affidavit filed herein and the order of the High Court dated 03.02.2026 and 31.03.2026 made herein and upon hearing the arguments of SRI KARRA V.V.S.N MURTHY, Advocate for the Petitioner and GP FOR HOME, for the Respondents

**The Court made the following
ORDER:**

Learned counsel for the petitioner would submit that there is a serious lapse on the part of respondent No.3 in orally directing the petitioner not to create any dispute over the property on which the petitioner is having a clear title. He further submitted that once the complaint lodged by the petitioner was closed as being 'civil in nature,' the role of respondent No.3 is concluded. He would further submit that, respondent No. 3, with his personal vested interest, addressed Letter C.No.251/S1-C1/2025 (dated 22.09.2025) to the

interest, addressed Letter C.No.251/S1-C1/2025 (dated 22.09.2025) to the Revenue Sub-Divisional Officer, Hanumakonda Division, seeking to initiate proceedings under Section 164 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS'). He further argued that seeking such proceedings without the registration of an FIR constitutes an infringement of the petitioner's fundamental rights by respondent No. 3, who is otherwise duty-bound to protect them.

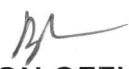
Learned Government Pleader for Home seeks time to get instructions on this aspect.

On the directions of this Court, dated 31.03.2026, respondent No.3 is present before this Court. His further appearance is dispensed with.

List on 08.04.2026.

Sd/- L.VIJAYA LAKSHMI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Station House Officer, P.S. Subedari, Hanumakonda.
(BY SPAD)
2. One CC to SRI KARRA V.V.S.N MURTHY Advocate [OPUC]
3. Two CCs to GP FOR HOME, High Court at Hyderabad. [OUT]
4. One spare copy

HIGH COURT

EVV, J

DATED: 01.04.2026

LIST ON 08.04.2026

ORDER

WP.No.3021 of 2026

DIRECTION

