

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

**TUESDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

WRIT PETITION NO: 8131 OF 2026

Between:

1. Ananthula Purnachander, S/o Anunthula Shanker lingam
2. Ananthula Bharathi, W/o Anunthala Shanker Lingam.

Petitioners

AND

1. The state of Telangana, represented by its Principle secretary Home Department Secretariat Buildings. Hyderabad.
2. The commissioner of Police, Ramagundam Peddpalli District.
3. The station House officer, of P.S Godavarikhani 1 town Godavarikhani Peddpalli 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 an appropriate writ order or direction more particularly one in the nature of Writ of Mandamus to Hold the act of the respondent No3 to the writ Petition, Passing threats to arrest Petitioner No1 and 2 Person in FIR No 116 of 2026 registered with respondent No3 to the writ Petition without Following due Process of law is in abrogation of article 21 of constitution of India fortiori direct respondent No 3 to the writ Petition to Follow due Process of law in FIR No 116 of 2026.

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct Respondent No3 to the Writ Petition to follow due Process of law while doing investigation in FIR No 116 of 2026, pending disposal of WP 8131 of 2026, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI NARESH VERMA RAJESH RAMASWAMY Advocate for the Petitioners and SRI M. SRINIVAS, AGP FOR HOME appearing for the Respondents, the Court made the following.

ORDER:

Notice before admission.

Mr. M. Srinivas, learned Assistant Government Pleader for Home, takes notice for respondent Nos.1 to 3, waives further notice and seeks time to file counter.

Learned counsel for the petitioners submits that without there being any power conferred upon respondent No.3, at the best of the *de facto* complainant, who is none other than the father and husband of the petitioners, respectively, an FIR has been registered against them *vide* FIR No.116 of 2026 for the offence punishable under Section 24 of Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (for short "the Senior Citizens Act").

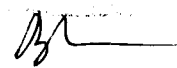
In so far as the Senior Citizens Act is concerned, learned counsel for the petitioners would submit that as per Section 22 of the Senior Citizens Act, powers have been conferred to the District Magistrate, who specified the Officer subordinate to him, to ensure that the provisions of the Senior Citizens Act are properly carried out. He would further submit that, in the instant case, without there being any powers being conferred upon respondent No.3, registering the crime against the petitioners itself is improper. These aspects can only be ascertained certain upon filing of the counter by the respondents.

In the meanwhile, since the imprisonment as specified under the Senior Citizens Act is upto three months imprisonment, a fine upto Rs.5,000/- or both, the present case falls within the ambit of the guidelines issued by the Hon'ble Apex Court in *Arnesh Kumar Vs. State of Bihar*¹. Hence, there shall be interim direction to the respondents-police not to take any coercive action against the petitioners on the pretext of conducting investigation in F.I.R.No.116 of 2026, except following the guidelines issued by the Hon'ble Apex Court in *Arnesh Kumar's case*.

List on 21.04.2026.

Sd/- S.MALLIKARJUNA RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

¹(2014) 8 SCC 273

To,

1. The Principal secretary, Home Department Secretariat Buildings, State of Telangana, Hyderabad.
2. The commissioner of Police, Ramagundam Peddpalli District.
3. The station House officer, of P.S Godavarikhani 1 town Godavarikhani Peddpalli District.

(Addressees 1 to 3 BY SPAD)

4. One CC to SRI NARESH VERMA RAJESH RAMASWAMY Advocate [OPUC]
5. Two CCs to GP FOR HOME, High Court at Hyderabad. [OUT]
6. One spare copy

HIGH COURT

EVV, J

DATED :17/03/2026

LIST ON 21.04.2026.



ORDER

WP.No.8131 of 2026

INTERIM DIRECTION