

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

TUESDAY, THE SEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

WP.Nos.9942 AND 4455 OF 2025

WP NO: 9942 OF 2025

Between:

1. Smt. Samudrala Anasurya, w/o Mallaiah, aged about about 70 years, Occ. Agriculture R/o Palvancha village and Mandal, Bhadradi Kothagudem District
2. Samudrala Srikanth, S/o Rambabu , aged about 45 years, occ. Agriculture R/o Palvancha village and Mandal, Bhadradi Kothagudem District

...PETITIONERS

AND

1. The State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat, Hyderabad.
2. The Superintendent of Police, Kothagudem, Bhadradi Kothagudem District.
3. The Circle Inspector of Police, Palvancha, Bhadradi Kothagudem District.
4. The Station House Officer, Palvancha Police Station, Bhadradi Kothagudem District
5. Chitikena Musalaiah, S/o Chitikena Veeraiah Aged about 77 years, occ. Agriculture
6. Chitikena Haranath, s/o Musalaiah, aged about 43 years, occ. Private Employee,
7. Chitikena Aruna, d/o Musalaiahm, aged about 38 years, occ. Private Employee, Nos. 5 to 7 are r/o H.No. 22-3-137, Dammipeta Rpad, Palvancha, Bhadradi Kothagudem 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, declaring the action of the respondent Nos. 3 and 4 herein in fixing the Stone Kadies with barbed wire in the petitioner's land in Sy.Nos.83/1/A/2, 82/2/AA/2 and 83/1/A/1/2 admeasuring Ac. 1.05 gts.,Ac. 0.20 gts., and ac. 0.20 gts., situated at Palvancha village and Mandal, Bhadradi Kothagudem District at the behest of the unofficial respondents under the guise of the decree in O.S.No. 263 of 2011 on the file of the Principal Junior Civil Judge at Kothagudem though the petitioners herein are not the parties and the suit property is different, as being illegal, arbitrary, unconstitutional, unwarranted and against to the principles of natural justice and consequently direct the 2nd respondent herein to take action against the respondent Nos. 3 and 4 and their subordinates for adopting illegal methods without verifying the records.

I.A. NO: 1 OF 2025

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 pass orders directing the respondent Nos. 3 and 4 herein to forthwith remove the Stone Kadies fixed with barbed wire in the petitioner's land in Sy.Nos.83/1/A/2, 82/2/AA/2 and 83/1/A/1/2 admeasuring Ac. 1.05 gts.,Ac. 0.20 gts., and ac. 0.20 gts., situated at Palvancha village and Mandal, Bhadradi Kothagudem District, pending disposal of the main Writ Petition.

**Counsel for the Petitioners : SRI A.RAVINDER, Sr.Counsel
rep., SRI KARUNAKAR REDDY**

Counsel for the Respondents No.1to4 : SRI M.SRINIVAS, AGP FOR HOME

Counsel for the Respondents No.5to7 : SRI YOGESH KUMAR

WP NO: 4455 OF 2025

Between:

1. Chitikena Musalaiah, s/o Chitikena Veeraiah aged about 77 years Occ. Agriculture R/o 22-3-137, Dammipeta Road, Palvancha, Bhadradi Kothagudem District.

2. Chitikena Haranath, s/o Musalaiah Aged about 43 years Occ. Pvt employee r/o 22-3-137, Dammapeta Road, Palvancha, Bhadradi Kothagudem District.
3. Chitikena Aruna, d/o Musalaiah Aged about 38 years Occ. Pvt employee 22-3-137, Dammapeta Road, Palvancha, Bhadradi Kothagudem District.

...PETITIONERS

AND

1. State of Telangana, Rep by its Principal Secretary Home Department Secretariat, Dr B R Ambedkar Secretariat Buildings Saifabad Hyderabad
2. Superintendent of police, Bhadradi Kothagudem District, Bhadradi
3. The Sub-Divisional Police Officer, Palvoncha, Bhadradi Kothagudem District.
4. The Station House Officer, Paloncha Town Police station Palvoncha, Bhadradi Kothagudem District.
5. Kotipally Saibabu, s/o Yerraiah aged about 53 years, Occ. Finance and Contractor R/o Gandhi Nagar, Nava Bharath, Paloncha Town and Mandal Bhadradi Kothagudem District.
6. Samudrala Saidulu, S/o Late Mallaiah Aged about 37 years Occ. Agriculture R/o Bollorigudem, Paloncha Town and Mandal Bhadradi Kothagudem District.
7. Samudrala Rama Krishna, s/o Late Mallaiah Aged about 32 years Occ. Agriculture R/o Bollorigudem, Paloncha Town and Mandal Bhadradi Kothagudem 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 action of the respondents 2 to 4 in not granting police protection to the Writ petitioners in maintain their lawful possession, enjoyment over the property being measuring Ac 1-26 gts in Sy No. 817 and Ac 1-00 gts in Sy No. 817/2 in total Ac. 2-26 gts situated at Paloncha Village, Town and Mandal, Bhadradi Kothagudem District in compliance of Decree and Judgement dt. 30-11-2018 in OS No. 263 of 2011 on the file of Principal Junior Civil Judge at Kothagudem as illegal, irregular, arbitrary, violative of Provisions of BNSS and also against Articles 14, 21 and 300A of Constitution of India and consequently, direct the 4th Respondent to provide police protection for implementation of orders dt. 30-11-2018 in OS No. 263 of 2011 on the file of Principal Junior Civil Judge at Kothagudem.

I.A. NO: 1 OF 2025

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 no 2 to 4 grant police protection to the Writ petitioners in maintaining their lawful possession of the property being Sy no 817 measuring Ac 1-26 gts and 817/2 Ac 1-00 gts in total Ac 2-26 gts situated at Paloncha Village, Town and Mandal, Bhadradi Kothagudem District pending disposal of the above writ petition.

Counsel for the Petitioner : SRI YOGESH KUMAR HEROOR

Counsel for the Respondents No.1to4 : SRI M.SRINIVAS, AGP FOR HOME

Counsel for the Respondents No.5to7 :

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The Court made the following: COMMON ORDER

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

THE HON'BLE SRI JUSTICE E.V.VENUGOPAL

WRIT PETITION Nos.9942 and 4455 of 2025

DATE OF ORDER: 07.04.2026

Between:

Smt. Samudrala Anasurya and another

...Petitioners

AND

The State of Telangana,
Rep. by its Principal Secretary,
Home Department, Secretariat,
Hyderabad, and 6 others

...Respondents

COMMON ORDER:

W.P.No.4455 of 2025 is filed seeking the following relief:

"....to issue writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents 2 to 4 in not granting police protection to the Writ petitioners in maintaining their lawful possession enjoyment over the property being measuring Ac.1.26 gts in Sy.No.817 and Ac.1.00 gts in Sy.No.817/2 in total Ac.2.26 gts situated at Paloncha Village, Town and Mandal, Bhadradi Kothagudem District in compliance of Decree and Judgement dt 30.11.2018 in OS No.263 of 2011 on the file of Principal Junior Civil Judge at Kothagudem as illegal, irregular, arbitrary, violative of Provisions of BNSS and also against Articles 14, 21 and 300A of Constitution of India and consequently direct the 4th respondent to provide police protection for implementation of orders dt 30.11.2018 in OS No.263 of 2011 on the file of Principal Junior Civil Judge at Kothagudem...."

2. W.P.No.9942 of 2025 is filed seeking the following relief:

"....to issue an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent Nos.3 and 4 herein in fixing the Stone Kadies with barbed wire in the petitioners land in Sy.Nos.83/1/A/2, 82/2/AA/2 and 83/1/A/1/2 admeasuring Ac.1.05 gts, Ac.0.20 gts and Ac.0.20 gts situated at

Palvancha village and Mandal, Bhadradi Kothagudem District, at the behest of the unofficial respondents under the guise of the decree in OS No.263 of 2011 on the file of the Principal Junior Civil Judge at Kothagudem though the petitioners herein are not the parties and the suit property is different as being illegal, arbitrary, unconstitutional, unwarranted and against to the principles of natural justice and consequently direct the 2nd respondent herein to take action against the respondent Nos.3 and 4 and their subordinates for adopting illegal methods without verifying the records..."

3. Since the issue involved in both the writ petitions is one and the same, they are heard together and being disposed of by way of this common order.

4. For the sake of convenience, the facts are referred to as mentioned in W.P.No.9942 of 2025.

5. Heard Mr. A.Ravinder, learned Senior Counsel appearing for the petitioners; Sri M.Srinivas, learned Assistant Government Pleader for Home appearing for respondent Nos.1 to 4; Mr.Yogesh Kumar, learned counsel appearing for the unofficial respondents; and perused the record.

6. Learned Senior Counsel appearing for the petitioners submits that petitioner No.1 is the absolute owner and possessor of the land in Sy.Nos.83/1/A/2 admeasuring Ac.1.05 gts., situated at Palvancha Village and Mandal, Bhadradi Kothagudem District, and petitioner No.2 is the absolute owner and possessor of the lands in Sy.Nos.82/2/AA/2 and 83/1/A/1/2 admeasuring Ac.0.20 gts., and Ac.0.20 gts., respectively situated at Palvancha

Village and Mandal, Bhadradri Kothagudem District and the revenue officials issued the individual pattadar pass books and title deeds and their names are also incorporated in the revenue records and they are in peaceful possession and enjoyment without any interference. Learned Senior Counsel further submits that the unofficial respondents have filed a suit in O.S.No.263 of 2011 before the learned Principal Junior Civil Judge at Kothagudem seeking perpetual injunction and the said suit was decreed vide order dated 30.11.2018 in favour of the unofficial respondents restraining the defendants therein from interfering with the peaceful possession of the unofficial respondents. While so, on 27.03.2025, respondent Nos. 3 and 4, along with their subordinates and unofficial respondents, without following the due process of law, highhandedly trespassed into the lands of the petitioners and proceeded to erect the boundary stones with barbed wire.

7. Learned Assistant Government Pleader for Home appearing for respondent Nos.1 to 4 submits that acting on the complaint of the petitioners, respondent No.4 registered a case in Crime No.35 of 2025 under Sections 189(2), 329(3), 296, 118(1), 351(2) r/w 3(5) BNS dated 28.01.2025 and the Investigation Officer filed charge sheet *vide* C.C.No.724 of 2025 before the Additional J.F.C.M at Kothagudem and the same is pending for trial. The unofficial respondents have also made a complaint before

respondent No.4 and acting on the same, a case in Crime No.36 of 2025 was registered under Sections 189(2), 329(3), 324(4), 296, 118(1), 351(2) r/w 3(5) BNS dated 28.01.2025 and the Investigation Officer filed charge sheet *vide* C.C.No.723 of 2025 before the Additional J.F.C.M at Kothagudem and the same is pending for trial. It is further submitted that except conducting investigation into the said crimes, the respondent authorities have not interfered with the possession of the petitioners over the subject property as alleged by the petitioners.

8. Learned counsel appearing for the unofficial respondents submits that the unofficial respondents have filed W.P.No.4455 of 2025 before this Court seeking police protection and this Court *vide* interim order dated 14.02.2025 in W.P.No.4455 of 2025 directed respondent No.4 to forthwith grant police aid to the petitioners therein (unofficial respondents herein) for implementing injunction decree dated 30.11.2018 in O.S.No.263 of 2011 on the file of Principal Junior Civil Judge at Kothagudem, and the unofficial respondents are not interfering with the possession of the petitioners as alleged by the petitioners.

9. Having heard the learned counsel for the petitioners; learned Assistant Government Pleader for Home; learned counsel appearing for the unofficial respondents, since it has been submitted that respondent No.4 has not interfered with the

possession of the petitioners over the subject property and since the crimes registered against the parties are pending for trial before the learned Additional J.F.C.M at Kothagudem, this Court deems it appropriate to dispose of these writ petitions directing the official respondents not to interfere with the civil disputes pending between the petitioners and unofficial respondents, except by following due process of law and it is open for the official respondents to provide police protection to the petitioners in W.P.No.4455 of 2025 as and when required in terms of the interim order granted by this Court on 14.02.2025. Needless to state that this Court has not made any observations on the civil disputes pending between the parties.

10. With the above observations, these Writ Petitions are disposed of. No order as to costs.

As a sequel, miscellaneous petitions, if any, pending, shall stand closed.

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Sd/-B.REKHA RANI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary Home Department Secretariat, Telangana State, Dr B R Ambedkar Secretariat Buildings Saifabad Hyderabad
2. The Superintendent of police, Bhadradi Kothagudem District, Bhadradi
3. The Sub-Divisional Police Officer, Palvoncha, Bhadradi Kothagudem District.
4. The Station House Officer, Paloncha Town Police station Palvoncha, Bhadradi Kothagudem District.
5. The Circle Inspector of Police, Palvanha, Bhadradi Kothagudem District.
6. The Station House Officer, Palvanha Police Station, Bhadradi Kothagudem District

7. One CC to SRI KARUNAKAR REDDY, Advocate. [OPUC]
8. One CC to SRI YOGESH KUMAR HEROOR, Advocate. [OPUC]
9. Two CCs to GP FOR HOME High Court for the State of Telangana, at Hyderabad [OUT]
10. Two CD Copies.

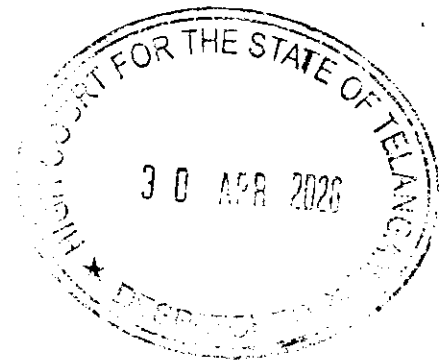
 BSK

HIGH COURT

DATED: 07/04/2026

ORDER

WP.Nos.9942 AND 4455 OF 2025



**DISPOSING OF THE WRIT PETITIONS
WITHOUT COSTS**

13 MT
30/4/26