

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

THURSDAY, THE TWENTY FIFTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CIVIL REVISION PETITION NO: 1289 OF 2026

Petition under Article 227 of the Constitution of India, aggrieved by the Order Dated: 24.09.2024 passed in IA No. 68 of 2024 in I.A.No.270 of 2023 in O.S.No.286 of 2023 on the file of the Court of the Sub Divisional Magistrate and Special Assistant Agent to Government, Mobile Court at Bhadrachalam.

Between:

1. Nadipinti Narasimha Rao, S/o. Gangulu, aged about 47 years, Occ: Agriculturist.
2. Nadipinti Venkateswarlu, S/o. Ramulu, aged about 47 years, Occ: Agriculturist.
3. Nadipinti Jampaiah, S/o. Narsaiah, aged about 27 years, Occ: Agriculturist.

(All are R/o. Sompalli Village, Burgampahad Mandal, Bhadradri Kothagudem District).

...PETITIONERS/RESPONDENTS/DEFENDANTS

AND

1. Thokala Venkateswarlu, S/o. Thirupathaiah, Aged about 64 years, Occ: Agriculturist.
2. Thokala Narasaiah, S/o. Thirupathaiah, Aged about 58 years, Occ: Agriculturist.
3. Thokala Seethaiah, S/o. Thirupathaiah, Aged about 50 years, Occ: Agriculturist.
4. Thokala Lakshminarayana, S/o. Thirupathaiah, Aged about 50 years, Occ: Agriculturist.
5. Thokala Jayamma, W/o. Saibabu, Aged about 44 years, Occ: Agriculturist.

(All are R/o. Sompalli Village, Burgampahad Mandal, Bhadradri Kothagudem District).

...RESPONDENTS/RESPONDENTS/PLAINTIFFS

I.A. NO: 1 OF 2026

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 Order passed in I.A.No. 68 of 2024 in I.A.No.270 of 2023 in O.S.No.286 of 2023 Dated: 24.09.2024 on the file of the Court of the Sub Divisional Magistrate and Special Assistant Agent to Government, Mobile Court at Bhadrachalam, pending disposal of the CRP.

Counsel for the Petitioners: Sri. Krishna Kishore Kovvuri

Counsel for the Respondents: APP

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CIVIL REVISION PETITION No.1289 of 2026

Date: 25.06.2025

Between:

Nadipinti Narasimha and 2 others

...Petitioners

AND

Thokala Venkateshwarlu, and 4 others

...Respondents

ORDER

This Civil Revision Petition has been filed by the petitioners/defendants under Article 227 of the Constitution of India, aggrieved by the order, dated 24.09.2024, passed by the learned Sub Divisional Magistrate & Special Assistant Agent to Government, Mobile Court at Bhadrachalam (for short 'the trial Court'), wherein the application filed by the respondents/plaintiffs for seeking Police protection was allowed.

2. When this matter was taken up for consideration on 12.06.2026, Mr.Krishna Kishore Kovvuru, learned counsel appearing on behalf of the petitioners, submitted that pursuant to the order dated 24.04.2026, they had sent personal notice to the respondents and filed

proof of service vide USR No.64163 of 2026 before the Registry on 10.06.2026. He further submitted that the notice sent by them was delivered to the respondents. Despite service of notice, there was no representation on behalf of the respondents. However, this Court granted one more opportunity and posted the matter to 19.06.2026. Once again, the matter came up for consideration on 19.06.2026 and was posted to 25.06.2026. Today also, the respondents have not chosen to enter appearance. Hence, this Court has no other option except to proceed with the matter on merits.

3. Heard Mr.T.Vasanth Rao, learned counsel representing M/s. Syamala Ravinder Reddy, learned counsel for the petitioners.

4. Learned counsel for the petitioners submits that respondent Nos.1 to 5 filed a suit vide O.S.No.286 of 2023 for grant of perpetual injunction. Along with the said suit, the respondents filed I.A.No.270 of 2023 seeking an ad interim injunction. The learned trial Court, on 20.12.2023, granted interim injunction in favour of respondents. The petitioners had not received copies of the summons and also copy of the ad interim injunction. Thereafter, respondents filed I.A.No.68 of 2024 seeking police protection for enforcing the temporary injunction order dated 20.12.2023. The said application was allowed on

24.09.2024. The petitioners came to know about the passing of the ad interim injunction dated 20.12.2023 only pursuant to the police protection order granted in I.A. No.68 of 2024 dated 24.09.2024.

5. Learned counsel further submits that immediately thereafter, the petitioners filed counters in both applications on 05.11.2024 and expressed urgency. In spite of the same, the learned trial Court adjourning the matter from time to time, and under the guise of police protection, the respondents/plaintiffs are interfering with the schedule property, though the petitioners have been in peaceful possession and enjoyment of the suit schedule property. He further submitted that the learned trial Court ought not to have granted police protection without issuing notice and affording an opportunity to the petitioners, and that the same is a gross violation of principles of natural justice.

6. Having considered the submissions made by the learned counsel for the petitioners and upon perusal of the material available on record, it reveals that the respondents/plaintiffs have filed a suit vide O.S.No.286 of 2023 for grant of perpetual injunction. Along with the said suit, the respondents filed I.A.No.270 of 2023, and the learned trial Court was pleased to grant an ad interim injunction on 20.12.2023.

7. Thereafter, the respondents filed I.A.No.68 of 2024 seeking police protection, and the said application was allowed on 24.09.2024. The record further reveals that the petitioners filed a counter in I.A.No.68 of 2024 seeking dismissal of the said application on 05.11.2024, and the said application is pending since then. The learned trial Court ought to have decided I.A.No.270 of 2023 and I.A.No.68 of 2024. Admittedly, it is the specific case of the petitioners that the learned trial Court, without giving notice and opportunity to them, passed the impugned order in I.A.No.68 of 2024 on 24.09.2024 behind their back. Hence, this Court is of the considered view that the petitioners are entitled to a reasonable opportunity of hearing before passing the impugned order.

8. For the foregoing reasons, the impugned order dated 24.09.2024 passed by the learned trial Court is liable to be set aside.

9. Accordingly, the impugned order dated 24.09.2024 passed by the learned Sub Divisional Magistrate & Special Assistant Agent to Government, Mobile Court at Bhadrachalam, in I.A.No.68 of 2024 in I.A.No.270 of 2023 in O.S.No.286 of 2023 is set aside and the learned trial Court is directed to decide the I.A.No.68 of 2024 afresh in accordance with law after giving an opportunity of hearing to both the

parties, as expeditiously as possible, preferably within a period of four (4) weeks from the date of receipt of a copy of this order. It is made clear that the parties in *lis* are directed to cooperate with the learned trial Court without seeking undue adjournments.

10. Accordingly, the Civil Revision Petition is disposed of. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

Sd/- NAYANI CHANDRA SEKHAR RAO
DEPUTY REGISTRAR

//TRUE COPY//



SECTION OFFICER

To

1. The Sub Divisional Magistrate and Special Assistant Agent to Government, Mobile Court at Bhadrachalam.
2. One CC to Sri. Krishna kishore Kovvuri, Advocate [OPUC]
3. Two CD Copies

PR/BA



HIGH COURT

DATED: 25/06/2026

ORDER

CRP.No.1289 of 2026



DISPOSING OFF THE CRP

⑤ NT
3/7/26.