

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

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

PRESENT

THE HONOURABLE JUSTICE MOUSHUMI BHATTACHARYA
AND
THE HONOURABLE SRI JUSTICE GADI PRAVEEN KUMAR

WRIT APPEAL NOS.485 AND 486 OF 2026

W.A.NO:485 OF 2026

Writ Appeal under clause 15 of the Letters Patent Preferred against the order dated.25-02-2026, in W.P.No.35604 of 2026 on the file of the High Court.

Between:

Ramalingam Rajashekaran, S/o.Ramalingam, aged about 63 years, Occ Business, R/o.H.No.2-6-1, Sikh Road, Sikh Village, Secunderabad, TS - 500009.

AND

.....APPELLANT/RESPONDENT No.2

1. Rishi Kanth Naresh Betha, S/o.Betha Mallesh, aged about 37 years, Occ Private Employee (Ex-Serviceman), R/o.Plot No.11, TNGOs Colony, Gachibowli, Hyderabad, TS.

.....RESPONDENT/WRIT PETITIONER

2. The Secunderabad Cantonment Board, Rep.by its Chief Executive Officer, Office at Court Compound, SP Road, Secunderabad, T.S.

.....RESPONDENTS

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 learned Single Judge order dt.25/02/2026 passed in WP.No.35604 of 2025.

Counsel for Appellant : SRI R.A.ACHUTHANAND, COUNSEL REPRESENTING SRI CH.JAYAKRISHNA

Counsel for Respondent No.1 : SRI ZEESHAN ADNAN MAHMOOD

Counsel for Respondent No.2 : SRI M.HAREESH KUMAR

W.A.NO:486 OF 2026

Writ Appeal under clause 15 of the Letters Patent Preferred Against Order Dated 25/02/2026 in W.P. No 6231 of 2025 on the file of the High Court.

Between:

Ramalingam Rajashekar, S/o.Ramalingam, aged about 63 years, Occ. Business, R/o.H.No.2-6-1, Sikh Road, Sikh Village, Secunderabad, TS - 500009.

.....APPELLANT/WRIT PETITIONER

AND

1. The Secunderabad Cantonment Board, Rep. by its Chief Executive Officer, Office at. Court Compound, S.P.Road, Secunderabad, TS - 500003.
2. The Station House Officer, Bowenpally Police Station, Secunderabad, TS.
3. Rishi Kanth Naresh Betha, S/o.Betha Mallesh, aged about 37 years, Occ. Private Employee (Ex-Serviceman), R/o.Plot No.11, TNGOs Colony, Gachibowli, Hyderabad, TS.

.....RESPONDENTS

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 learned Single Judge order dt.25/02/2026 passed in WP.No.6231 of 2025, pending disposal of the above writ appeal.

Counsel for Appellant : SRI R.A.ACHUTHANAND, COUNSEL REPRESENTING SRI CH.JAYAKRISHNA

Counsel for the Respondent No.1 : SRI K.R KOTESWERA RAO (SR SC FOR CANTONMENT)

Counsel for Respondent No.2 : G.P FOR HOME

Counsel for Respondent No.3 : SRI M.HAREESH KUMAR

The Court made the following COMMON JUDGMENT : -

HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE JUSTICE MOUSHUMI BHATTACHARYA
AND
THE HON'BLE JUSTICE GADI PRAVEEN KUMAR

W.A. Nos. 485 and 486 of 2026

DATE: 11.06.2026

W.A. No.485 of 2026

Between:

Ramalingam Rajashekaran

... Appellant

And

Mr. Rishi Kanth Naresh Betha and Another.

... Respondents

W.A. No.486 of 2026

Between:

Ramalingam Rajashekaran

... Appellant

And

The Secunderabad Cantonment Board,
Rep. by its Chief Executive Officer,
Office at: Court Compound, S.P.Road,
Secunderabad, TS – 500003 and 2 Others.

... Respondents

Mr. R.A. Achuthanand, learned counsel representing Mr. C.H.Jayakrishna,
learned counsel appearing for the appellant.

Mr. Mahesh Raje, the learned Government Pleader for Home appearing for
the respondent No.2 in W.A.No.486 of 2026

Mr. K.R. Koteswera Rao, the learned Standing Counsel for Cantonment
Board appearing for the respondent No.2 in W.A.No.485 of 2026 and the
respondent No.1 in W.A.No.486 of 2026.

Mr.Zeeshan Adnan Mahmood, learned counsel representing Mr. M. Hareesh Kumar, learned counsel appearing for the respondent No.1 in W.A.No.485 of 2026 and the respondent No.3 in W.A.No.486 of 2026

COMMON JUDGMENT: (Per Hon'ble Justice Moushumi Bhattacharya)

1. The W.A. No.485 of 2026 arises out of an order passed by a learned Single Judge of this Court on 25.02.2026 in W.P. No.35604 of 2025 filed by the respondent No.1 in W.A. No.485 of 2026 directing the Secunderabad Cantonment Board to ensure that the 15 feet public lane as declared by the judgment and decree in O.S. No. 1182 of 1992 dated 11.08.1997 by the learned I Assistant Judge, City Civil Court, Secunderabad, is free from all encroachments and illegal structures. The Cantonment Board was also directed to ensure that the ingress and egress to the Public Road is not restricted or obstructed in any manner and to complete the entire exercise in a time bound manner.

2. The W.A. No. 486 of 2026 assails the order dated 25.02.2026 passed by the learned Single Judge, whereby W.P. No. 6231 of 2025, filed by the appellant, was dismissed.

3. The appellant in W.A. No.485 of 2026 was the respondent No.2 in W.P. No.35604 of 2025 before the learned Single Judge.

4. Learned Senior Counsel appearing for the appellant claims to be the holder of a property who had constructed fencing around the property. Learned Senior Counsel submits that the Trial Court *vide* judgment and decree dated 11.08.1997 in O.S. No.1182 of 1992 held in favour of the plaintiff (writ petitioner's vendor) in the matter of ingress and egress to the public lane. The suit was filed against the appellant's father. The appellants' father subsequently challenged the judgment and decree.

5. From the submissions made on behalf of the appellant, it is clear that the judgment and decree dated 11.08.1997 in O.S. No. 1182 of 1992 has attained finality as on date. There is no scope for this Court to find any fault with the impugned order passed by the learned Single Judge. Moreover, the Secunderabad Cantonment Board has filed a Memo today in Court stating that it has removed all the encroachment including wire fencing erected by the appellants on 15 feet public lane.

6. The submission made on behalf of the appellant that he may be protected by way of a Civil Suit is untenable since there

is no Civil Suit pending as on date. Hence, granting such protection would be entirely speculative.

7. We also note that the learned Single Judge considered the submissions made on behalf of the appellant with regard to the outcome of the Civil Suit (O.S. No.1182 of 1992) and held that the petitioner lacks necessary *locus standi* in the face of a conclusively determined Civil Court's verdict and hence, rejected the said contention. The learned Single Judge directed the removal of the encroachment of 15 feet public lane and also dismissed the Writ Petition filed by the appellant herein.

8. In view of the above reasons, W.A. Nos.485 and 486 of 2026, along with all connected applications, are accordingly dismissed.

9. Interim orders, if any, shall stand vacated. There shall be no order as to costs.

SD/-NAYANI CHANDRA SEKHAR RAO
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. Two CC's to G.P FOR HOME, High Court for the State of Telangana at Hyderabad. (OUT)
2. One CC to SRI ZEESHAN ADNAN MAHMOOD, Advocate (OPUC)
3. One CC to SRI CH.JAYAKRISHNA, Advocate [OPUC]
4. One CC to SRI K.R.KOTESWERA RAO (SR SC FOR CANTONMENT) Advocate [OPUC]
5. One CC to SRI M.HAREESH KUMAR, Advocate (OPUC)
6. Two CD Copies

SA

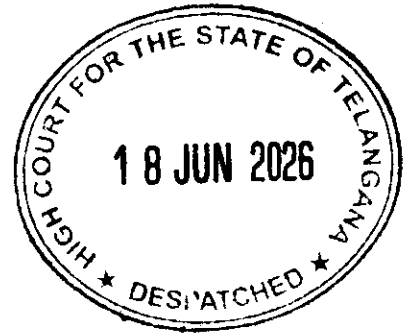
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HIGH COURT

DATED: 11/06/2026

COMMON JUDGMENT

WA.Nos.485 AND 486 OF 2026



**DISMISSING THE WRIT APPEALS
WITHOUT COSTS.**

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18/6/26