



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

**THURSDAY, THE TWENTY THIRD DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

WRIT PETITION NO: 31713 OF 2025

Between:

Mr. Sri Alli Poshamallu, S/o: Ilaiah, Aged about 64 years, R/o H.No.11-234, Subhash Colony, Bhupalpally Town, Jayashankar Bhupalpally District. Prsently Resaiding at Hyderabad.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary (Home) Secretariat Buildings at Hyderabad.
2. The Director General of Police, Telangana State Lakdikapul, Hyderabad.
3. The Superintendent of Police, JayaShankar Bhupalapilly Dist.
4. The station House Officer, P.S. Bhupalapilly, JayaShankar Bhupalapilly Dist.
5. The station House Officer, P.S. Mahamutharam, JayaShankar Bhupalapilly Dist
6. The District Collector, Hyderabad District.
7. The Revenue Divisional Officer, Bhupalapilly Division At Bhupalapilly, JayaShankar Bhupalapilly Dist.
8. Alli Ramya Gouda Ramya, W/o: Santhosh D/o G. Rajakomuraiah Aged about 29 yrs, Occ. Housewife, R/o. H.No.8-5 L.B. Nagar, Bhupalpatly town, Jayashankar Bhupalpally District. -506169

...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 in proceeding with the highhanded, arbitrary, unilateral inactions of Respondent Nos. 3 to 7 as high-handed, arbitrary, and unilateral, in failing to consider the repeated representations



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dated 22.09.2025 and 26.09.2025, made by the petitioner. without following due process of law, is violative of the petitioners fundamental rights under Articles 14, 21, 25, 29, and 300-A of the Constitution of India. Consequently, directing the respondents 3 to 7 to forthwith consider and act upon the representations of the petitioner dated 22.09.2025 and 26.09.2025, and to evict respondent No.8, from the petitioners self-acquired property bearing H.No. 11-234, Subhash Colony, Bhupalpally Town, Jayashankar Bhupalpally District, and restore peaceful possession thereof to the petitioner, and provide immediate and effective police protection, including patrolling and personal security, to the petitioner and his wife so as to secure their life, liberty and dignity.

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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 3 to 7 to forthwith consider and act upon the representations of the petitioner dated 22.09.2025 and 26.09.2025, and to evict respondent No.8, from the petitioners self-acquired property bearing H.No. 11-234, Subhash Colony, Bhupalpally Town, Jayashankar Bhupalpally District, and restore peaceful possession thereof to the petitioner; and provide immediate and effective police protection, including patrolling and personal security, to the petitioner and his wife so as to secure their life, liberty and dignity.

Counsel for the Petitioner: SRI KODARI MALLIKARJUN

**Counsel for the Respondent Nos.1 to 5:SRI R. LAXMIKANTH REDDY,
A GP FOR HOME**

Counsel for the Respondent Nos.6 and 7: GP FOR REVENUE

Counsel for the Respondent No.8:----

The Court made the following: ORDER



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THE HONOURABLE SRI JUSTICE N.TUKARAMJI

WRIT PETITION No.31713 of 2025

ORDER:

This Writ Petition is filed with the following relief:

"...to issue a writ, order, or direction to the respondents more particularly in the nature of Writ of Mandamus declaring the action of the Respondents in proceeding with the highhanded, arbitrary, unilateral inactions of Respondent Nos. 3 to 7 as high-handed, arbitrary, and unilateral, in failing to consider the repeated representations dated 22.09.2025 and 26.09.2025, made by the petitioner without following due process of law, is violative of the petitioners fundamental rights under Articles 14, 21, 25, 29, and 300-A of the Constitution of India. Consequently, directing the respondents 3 to 7 to forthwith consider and act upon the representations of the petitioner dated 22.09.2025 and 26.09.2025, and to (i) evict respondent No.8, from the petitioners self-acquired property bearing H.No.11-234, Subhash Colony, Bhupalpally Town, Jayashankar Bhupalpally District, and restore peaceful possession thereof to the petitioner, and provide immediate and effective police protection, including patrolling and personal security, to the petitioner and his wife so as to secure their life, liberty and dignity....."

2. Heard Mr.Kodari Mallikarjun, learned counsel for the petitioner and Mr.R.Laxmikanth Reddy, learned Assistant Government Pleader for Home appearing for respondents No.1 to 7.

3. Learned counsel for the petitioner submits that the representations dated 22.09.2025 and 26.09.2025 made by the petitioner have not been considered by the respondents/police authorities. He further submits that the petitioner has filed an application before respondent No.6/District Collector under the *Maintenance and Welfare of Parents and Senior Citizens Act, 2007*;



which is presently under consideration. As the petitioner apprehends threat and insecurity from the unofficial respondents, the present writ petition has been filed seeking eviction of respondent No.8 from his self-acquired house property and for a direction to provide police protection.

4. Learned Assistant Government Pleader, on instructions, submits that the contention of the petitioner is that repeated representations made by him were not acted upon is not supported by any material on record. In fact, a representation was received on 29.09.2025, and when the police authorities attempted to contact the petitioner, he did not cooperate. It is further submitted that a similar representation was also sent to respondent No.3, and as per instructions, necessary steps are being taken in that regard. He further submits that if the petitioner is aggrieved, he ought to have availed appropriate remedies available under the *Code of Criminal Procedure, 1973 (Cr.P.C.) / Bharatiya Nagrik Suraksha Sanhita, 2023 (BNSS)*. It is also stated that respondent No.8 (the unofficial respondent) has submitted a representation which is also pending consideration, and as there is no specific direction from any competent court, police protection has not been extended. Hence, the learned Pleader prays for passing appropriate orders.

5. I have perused the material available on record.



6. The petitioner's grievance concerns both (a) police inaction, and (b) unauthorized occupation of his self-acquired property by respondent No.8. The matter of eviction squarely falls within the domain of the *Maintenance and Welfare of Parents and Senior Citizens Act, 2007*, under which proceedings are already pending before the District Collector. Hence, the petitioner must await adjudication under that statute.

7. As to police protection, while the police have an obligation to ensure safety, the petitioner has not substantiated any immediate threat requiring extraordinary writ intervention. In light of settled legal position in *Sakiri Vasu v. State of U.P.*, AIR 2008 SC 907, and *M. Subramaniam v. S. Janaki & Others*, AIR 2020 SC 387, the petitioner should first pursue remedies under the *Cr.P.C. / BNSS* before invoking Article 226 jurisdiction. However, the respondent police authorities are directed to consider the pending representations and ensure adherence to due process.

8. Having regard to the submissions and the settled legal position, the writ petition seeking eviction of respondent No.8 and direction for police protection is not maintainable at this stage, in view of the availability of alternative statutory remedies under the *Maintenance and Welfare of Parents and Senior Citizens Act, 2007* and the *Cr.P.C./BNSS*.



9. However, to ensure that the petitioner's grievance is duly addressed, the following directions would be appropriate:

- a) Respondent No.6 (District Collector) shall expeditiously consider and dispose of the petitioner's pending application under the *Maintenance and Welfare of Parents and Senior Citizens Act, 2007* in accordance with law, preferably within a period of six (6) weeks from the date of receipt of this order.
- b) Respondent Nos.3 to 5 (Police Authorities) shall ensure that law and order are maintained, and shall take necessary action if any cognizable offence is disclosed upon consideration of the petitioner's representations dated 22.09.2025 and 26.09.2025.
- c) The petitioner is at liberty to avail appropriate remedies under Cr.P.C. / BNSS in case of further grievance regarding police inaction.

10. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous Petitions, pending if any, shall stand closed.

//TRUE COPY//

SD/- K. BHAVANI SWAMY
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary (Home) The State of Telangana, Secretariat Buildings at Hyderabad.
2. The Director General of Police, Telangana State Lakdikapul, Hyderabad.



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3. The Superintendent of Police, JayaShankar Bhupalapally Dist.
4. The station House Officer, P.S. Bhupalapally, JayaShankar Bhupalapally Dist.
5. The station House Officer, P.S. Mahamutharam, JayaShankar Bhupalapally Dist
6. The District Collector, Hyderabad District.
7. The Revenue Divisional Officer, Bhupalapally Division At Bhupalapally, JayaShankar Bhupalapally Dist.
8. One CC to Sri Kodari Mallikarjun, Advocate [OPUC]
9. Two CCs to GP for Home, High Court for the State of Telangana, at Hyderabad [OUT]
10. Two CD Copies

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HIGH COURT

DATED:23/10/2025



ORDER

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**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

(13) copies
Pof
28/02/2026