

(SHOW CAUSE NOTICE BEFORE ADMISSION)

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

MONDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NO: 40287 OF 2025

Between:

K.S.R. Brothers, Rep.by its Partner K.Ramesh, S/o. K. Innaiah, aged about 49 years,
R/o. Sarapaka Village, Burgampahad Mandal, Bhadradi Kothagudem District.

Petitioner

AND

1. The Union of India, Rep. by its Secretary Department of Road Transport and Highways, New Delhi.
2. The National Highway Authority, Rep.by its Executive Engineer R & B ND Division, Khammam, Khammam District.
3. The Deputy Executive Engineer, (R & B), N.H. Sub-Division, Kothagudem, Bhadradi Kothagudem District.
4. The Sub-Inspector of Police, Burgampahad Police Station, Burgampahad, Bhadradi Kothagudem District
5. The Tahsildar, Burgampahad Mandal, Bhadradi Kothagudem District.
6. Somu Govindareddy, S/o. Ramreddy, aged about 48 years, Occ. Pvt. Employee, R/o. Sarapaka Village, Burgampahad Mandal, Bhadradi Kothagudem District.

Respondents

WHEREAS the Petitioner above named through its Advocate Ms. T VASANTHA RAO presented this 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 official respondents more particularly the action of 3rd respondent in issuing the impugned Notice dated 28-03-2025 and consequential action of respondents 3 to 5 in attempting to demolish/remove the constructions of the petitioner's which is run by Maruthi Suzuki Showroom in front of NH-30 situated in Sy.No.8/2, 9 and 2/A in an extent of Ac.2.20 guntas of Sarapaka Revenue Village Burgampahad Mandal, Bhadradi Kothagudem District at the instance of unofficial respondent as illegal, arbitrary and violative of articles of 14, 21 and 300-A of Constitution of India besides violative of principles of natural justice and also amounting to colourable exercise of the power conferred

under Sec. 26 of the Control of National Highway Act (Land and Traffic Act), 2002 and consequently set aside the Notice dated 28-03-2025 issued by the 3rd respondent.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of MS. T VASANTHA RAO Advocate for the Petitioner, GP FOR NATIONAL HIGHWAY AUTHORITY for the Respondents No. 2 & 3, GP FOR HOME for the respondent no. 4 and GP FOR REVENUE for the respondent no. 5 directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Secretary Department of Road Transport and Highways, Union of India, New Delhi.
2. The Executive Engineer R and B ND Division, National Highway Authority, Khammam, Khammam District.
3. The Deputy Executive Engineer, (R and B), N.H. Sub-Division, Kothagudem, Bhadradi Kothagudem District.
4. The Sub-Inspector of Police, Burgampahad Police Station, Burgampahad, Bhadradi Kothagudem District
5. The Tahsildar, Burgampahad Mandal, Bhadradi Kothagudem District
6. Somu Govindareddy, S/o. Ramreddy, R/o. Sarapaka Village, Burgampahad Mandal, Bhadradi Kothagudem District.

are directed to show cause on or before 20.01.2026 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2025

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 the respondents 3 to 5 not to demolish/remove the constructions of the petitioner's which is run by Maruthi Suzuki Showroom situated in front of NH-30 of land in an extent of Ac.2.20 guntas situated in Sy.No.8/2, 9 & 2/A of Sarapaka Revenue Village Burgampahad Mandal, Bhadradi Kothagudem District, pursuant to the notice dated 28-03-2025 issued by the 3rd respondent, pending disposal of WP No. 40287 of 2025, on the file of the High Court.

The Court made the following

ORDER:

Notice before admission.

Learned Standing Counsel representing takes notice on behalf of respondent No.1.

Learned Government Pleader for National Highway Authority (NHA) takes notice on behalf of respondent Nos.2 and 3.

Learned Government Pleader for Home takes notice on behalf of respondent No.4.

Learned Government Pleader for Revenue takes notice on behalf of respondent No.5.

Learned counsel for the petitioner is permitted to take out personal notice to respondent No.6 through Speed Post with Acknowledgment Due and file proof of service of the same.

List on 20.01.2026.

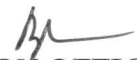
When the respondents issued a notice for removal of the unauthorized occupation under sub-Section (2) of Section 26 of the Control Highways (Land and Traffic Act, 2002), the petitioner filed a detailed explanation on the very next day.

Learned counsel for the petitioner had further contended that despite the filing of the detailed explanation, and while the same is still pending consideration, there is a threat of demolition and removal of the petitioner's constructions.

Accordingly, there shall be interim direction not to demolish the petitioner's constructions for a period of four weeks.

SD/-K.MADHAVI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Secretary Department of Road Transport and Highways, Union of India, New Delhi.
 2. The Executive Engineer R and B ND Division, National Highway Authority, Khammam, Khammam District.
 3. The Deputy Executive Engineer, (R and B), N.H. Sub-Division, Kothagudem, Bhadradi Kothagudem District.
 4. The Sub-Inspector of Police, Burgampahad Police Station, Burgampahad, Bhadradi Kothagudem District
 5. The Tahsildar, Burgampahad Mandal, Bhadradi Kothagudem District
 6. Somu Govindareddy, S/o. Ramreddy, R/o. Sarapaka Village, Burgampahad Mandal, Bhadradi Kothagudem District.
- (Addressees 1 to 6 BY SPAD along with a copy of petition and affidavit)
7. One CC to Ms. T VASANTHA RAO Advocate [OPUC]
 8. Two CCs to GP FOR NATIONAL HIGHWAY AUTHORITY, High Court at Hyderabad. [OUT]
 9. Two CCs to GP FOR HOME, High Court at Hyderabad. [OUT]
 10. Two CCs to GP FOR REVENUE, High Court at Hyderabad. [OUT]
 11. One spare copy

HIGH COURT

NBK, J

DATED: 29/12/2025



LIST ON 20.01.2026

NOTICE BEFORE ADMISSION

WP.No.40287 of 2025

INTERIM DIRECTION