HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

FRIDAY,THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HONOURABLE SMT JUSTICE RENUKA YARA

WRIT APPEAL NO: 123 OF 2025

Writ Appeal under clause 15 of the Letters Patent Writ preferred against the order dated 09/01/2025 passed in W P No 22904 of 2024 and pass on the file of the High Court.

Between:

P.Anil Reddy, S/o. P.Bhupal Reddy, Aged about 44 years, Occ Business, R/o. H.No. 4-89, Near Bus Stand, Marriguda, Nalgonda District

...APPELLANT

AND

1. The State of Telangana, rep. by its Principal Secretary to Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Medchal-Malkajgiri District.
3. The Tahsildar, Uppal Mandal, Medchal-Malkajgiri District.
4. Mrs. Rekha Keshap, W/o. Ashok Keshap, Aged 65 years, Occ Teaching.
5. Akhilesh Keshap, S/o. Ashok Keshap, Aged 40 years, Occ Engineer.
6. Rahul Keshap, S/o. Ashok Keshap, Aged 37 years, Occ Private Employee. (Respondents 4 to 6 are rep.by their GPA Holder, G.V.Rama Krishna Rao, S/o. late G.L.Narsimha Rao, Aged about 82 years, Occ Retd. Employee, R/o. Villa No. 64, Laxmi Vihar, Phase-II, Nallagandla, Serilingampally, Hyderabad - 19.

...RESPONDENTS

IA 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 direct the respondents No. 1 to 3 not to interfere in the peaceful possession of the petitioner in Plot bearing No. 5/6/B forming part of Plot Nos. 5 AND 6 in Sy.Nos. 19 & 20 admeasuring 250 sq.yds or 209 sq.mts situated at Habsiguda Village, Uppal Mandal, Medchal- Malkajgiri District

Counsel for the Appellant: SRI. V VENUMADHAV

Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE

Counsel for the Respondent Nos.4 to 6: ---

The Court made the following: JUDGMENT

THE HON'BLE THE ACTING CHIEF JUSTICE SUJOY PAUL

AND

THE HON'BLE SMT. JUSTICE RENUKA YARA

WRIT APPEAL No.123 of 2025

JUDGMENT *(Per the Hon'ble the Acting Chief Justice Sujoy Paul)*

Sri V. Venumadhav, learned counsel for the appellant and Sri Muralidhar Reddy Katram, learned Government Pleader for Revenue, for respondent Nos.1 to 3.

2. Heard on admission.

3. This Intra-Court appeal takes exception to the interim order dated 09.01.2025 in W.P.No.22904 of 2024. The said Writ Petition is still pending.

4. The bone of contention of learned counsel for the appellant is that the predecessor in title of the appellant filed W.P.No.24964 of 2012, which came to be decided on 02.08.2022. The impugned order therein was set aside. The appellant is occupying the same land and when he was threatened by respondent No.3 for demolishing the construction over the said land, he filed the instant writ petition. Initially, learned Single Judge on 21.08.2024 granted an *ad interim* protection to the appellant which was subsequently modified. Even if the said interim protection was not expressly extended, it shall be deemed to be extended in view of the Circular

issued by the High Court. Since such interim protection was in vogue, the demolition by the official respondents during the subsistence of such interim order is contemptuous in nature and runs contrary to the judgment of the Apex Court. It is submitted that in clear breach of the interim order of learned Single Judge, the demolition had taken place which is bad in law.

5. We have heard learned counsel for the appellant at length.

6. The impugned interim order shows that the matter was directed to be listed on 13.02.2025 by learned Single Judge and parties were directed to maintain *status quo*. Even assuming that the demolition had taken place, contrary to the interim order, the impact of the same needs to be assessed by the learned Single Judge. It is in the province of the learned Single Judge to decide whether the demolition had taken place while interim order was subsisting. If yes, necessary and consequential relief may be granted while deciding the writ petition. At this stage, no relief is due to the appellant in this writ appeal.

7. Accordingly, the Writ Appeal is **disposed of** by reserving liberty to the appellant to apprise the learned Single Judge about the nature of illegality in demolishing the construction of the appellant. It is made clear that this Court has not expressed any opinion on the merits of the case. No costs.

Interlocutory applications, if any pending, shall also stand closed.

SD/-K.SHYLESHI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary to Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Medchal-Malkajgiri District.
3. The Tahsildar, Uppal Mandal, Medchal-Malkajgiri District.
4. One CC to SRI. V VENUMADHAV Advocate [OPUC]
5. Two CCs to GP FOR REVENUE ,High Court for the State of Telangana. [OUT]
6. Two CD Copies

KKS
BSK
CHR

HIGH COURT

HAC,J &
RY,J

DATED:31/01/2025



JUDGMENT

WA.No.123 of 2025

DISPOSING OF THE WRIT APPEAL
WITHOUT COSTS

@CHP
14/2/25