

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

**MONDAY, THE TWENTY FOURTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE**

PRESENT

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

WRIT APPEAL NO: 347 OF 2025

Writ Appeal under clause 15 of the Letters Patent Preferred Against the Order Dated 05/03/2025 Passed I.A. No. 1 OF 2025 in W P No 30546 of 2024 on the file of the High Court.

Between:

1. Morampudi Venkateswara Rao, S/o. Krishnaiah, aged about 48 years, Occ Agriculturist. R/o. Mandalapalli Village, Dammapeta Mandal, Bhadradi Kothagudem District
2. Morampudi Narasimha Rao, S/o. Krishnaiah, aged about 44 years, Occ. Agriculture, R/o. Mandalapalli Village, Dammapeta Mandal, Bhadradi Kothagudem District

...APPELLANTS

AND

1. The State of Telangana, Rep. by its Principal Secretary, Department of Home, Secretariat Buildings, Dr. B.R. Ambedkar Telangana State Secretariat, Hyderabad
2. The Sub-Inspector of Police, Dammapeta Police Station, Dammapeta, Bhadradi Kothagudem District
3. Dhanekula Venkata Lakshmi Narasamma, W/o. Krishna Rao, aged about 43 years, Occ House Wife, R/o. Jaggavaram Village, Dammapeta Mandal, Bhadradi Kothagudem District.

...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 to dispense with the filing of certified copy of Order dt. 05-03-2025 of the Honourable High Court passed in I.A.No.1 of 2025 in W.P.No. 30546 of 2024, for time being

IA NO: 2 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 to direct the 2nd respondent not to dispossess the petitioners from the land in an extent of Ac.2.01 guntas situated in Sy.No.26/A of Mandalapalli Village, Dammapeta Mandal, Bhadradi Kothagudem District pursuant to the order dated 05-03-2025 in I.A.No.1 of 2025 in W.P.No. 30546 of 2024 passed by the learned Single Judge, pending disposal of the writ appeal

Counsel for the Appellants: SRI. T VASANTHA RAO

Counsel for the Respondent Nos.1&2: SRI MAHESH RAJE GP FOR HOME

Counsel for the Respondent NO.3: SRI S.V RAMANA

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.347 of 2025

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

Sri T. Vasantha Rao, learned counsel for the appellants;
Sri Mahesh Raje, learned Government Pleader for Home
Department, for respondent Nos.1 and 2 and Sri S.V. Ramana,
learned counsel for respondent No.3.

2. This Intra-Court appeal takes exception to an
interlocutory order dated 05.03.2025 in I.A.No.1 of 2025 in
W.P.No.30546 of 2024, relevant portion of which reads thus:

“...In the above circumstances, this Court finds
no reasons to extend the interim order dated
30.10.2024. Accordingly, I.A.No.1 of 2025 filed for
extension of the interim order dated 30.10.2024 is
dismissed.

In view of the orders passed in I.A.No.1 of 2025,
no further orders are required to be passed in
I.A.No.2 of 2024, accordingly, the application is
closed.

Further, the Sub-Inspector of Police,
Dammapeta Police Station, is directed to give Police
protection to the vacate petitioner-respondent No.3,
in compliance of the order dated 19.09.2022 passed
by this Court in C.R.P.No.1827 of 2022.”

3. Learned counsel for the appellants submits that before the writ Court, the contentions raised by the present appellants have not been considered in the writ petition filed by the present appellants. Relief has been granted to the unofficial respondent No.3. By placing reliance on the Rules 29 and 30 of Andhra Pradesh Agency Rules 1924, it is submitted that a statutory procedure is prescribed for taking action for the purpose of Police protection etc.,. Those provisions have not been fulfilled. He informed that before the writ Court, the notice dated 28.10.2024 (page No.43) was subject matter of challenge. The operative portion of the said notice reads thus:

"The Hon'ble High Court had granted police protection, vide orders in C.R.P.No.1827 of 2022 dated 19.09.2022. Hence, you are directed to hand over the possession within 2 days to Dhanekula Venkata Laxminarasamma, failing which, the further action will be taken."

4. During the course of hearing, learned counsel for the parties fairly submitted that earlier, the unofficial respondent No.3 filed C.R.P.No.1827 of 2022 which was decided on 19.09.2022 by a learned Single Judge of this Court and the said order attained finality. Relevant portion of the said order reads thus:

"17. In the result, the Civil Revision petition is allowed setting aside the order dated 22.04.2022 passed in I.A.No.181 of 2016 in I.A.No.281 of 2014 in O.S.No.385 of 2014 by the Sub-Divisional Magistrate and Special Assistant Agent to Government, Mobile Court at Bhadrachalam. The Station House Officer, Dammamet Police Station, Dammamet Mandal, Bhadradri Kothagudem District, is directed to provide police protection to the petitioner pending disposal of the suit O.S.No.385 of 2014.

Pending miscellaneous petitions, if any, shall stand closed."

5. The order passed in aforesaid C.R.P. was unsuccessfully challenged by the present appellants before the Supreme Court in SLP(C) No.17262 of 2022 which was decided on 30.09.2022. The Supreme Court granted liberty to the parties to apprise the higher Police authorities, if the Police are using the order contrary to law. However, the writ appellants chose to file the writ petition against the aforesaid notice. Since the order passed in C.R.P. was not interfered with by the Supreme Court and it was not pointed out to us that petitioner preferred representation to the higher Police authorities about the illegality committed by the police officials despite liberty being granted by the Supreme Court, no interference is warranted. Even otherwise, the order impugned is an interlocutory order and the main matter is still pending. If at all, the appellants are aggrieved by the said interlocutory order, they may file appropriate application before the learned Single Judge seeking

modification/correction of said order. We find no reason to interfere with this Writ Appeal.

6. Accordingly, this Writ Appeal is **disposed of**. No costs.

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

SD/-T.KRISHNA KUMAR
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Department of Home, Secretariat Buildings, Dr.B.R.Ambedkar Telangana State Secretariat, Hyderabad
2. The Sub-Inspector of Police, Dammapeta Police Station, Dammapeta, Bhadradi Kothagudem District
3. One CC to SRI T VASANTHA RAO Advocate [OPUC]
4. Two CCs to GP FOR HOME ,High Court for the State of Telangana. [OUT]
5. Two CCs to SRI S.V RAMANA, High Court for the State of Telangana at Hyderabad. [OUT]
6. Two CD Copies

KKS
LS

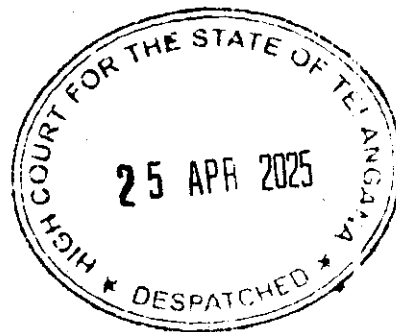
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HIGH COURT

DATED:24/03/2025

JUDGMENT

WA.No.347 of 2025



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

PA
10/4/25