

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**THURSDAY, THE FIFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN**

WRIT APPEAL NO: 4 OF 2026

Writ Appeal under clause 15 of the Letters Patent Against Order Dated 25/11/2025 in WP No 23776 of 2025 on the file of the High Court.

Between:

1. Gorati Sunitha, W/o Gorati Ramulu, Aged about 39 yrs Occ Agriculture, R/o. 2-44/1 Kadthal Village and Mandal Ranga Reddy Dist 509358
2. Goreti Srisailam, S/o Anjaiah Aged, about 44 yrs Occ Agriculture R/o 3-39, Opp Udipi hotel Kadthal Village and Mandal Ranga Reddy Dist 509358
3. Muda Ganesh, S/o Muda Krishnaiah Aged 35 yrs Occ Agriculture R/o. 2-42/72 Kadthal Village and Mandal Ranga Reddy Dist 509358
4. Kandikanti Sriramulu, S/o Kandikanti Rajaiah Aged 55 yrs Occ Agriculture R/o. 4-70/1/1 Kadthal Village and Mandal, Ranga Reddy Dist 509358
5. Muda Ramesh, S/o Muda Jangaiah Aged 43 yrs Occ Agriculture R/o. 2-88 Near Shivalayam Temple Kadthal Village and Mandal Ranga Reddy Dist 509358
6. Agirishetti Sugandha, W/ o Agirishetti Anjaiah Aged 44 yrs Occ Agriculture R/o 11-5-389/A P No 110 Sri Venkateshwara colony Road No8 Saroornagar Ranga Reddy Dist 500035
7. Gude Ramaiah, S/o Gude Malliah Aged about 66 yrs Occ Agriculture R/ o 469 Kadthal Village and Mandal Ranga Reddy Dist 509358
8. .Gude Rajendar, S/o Gude Ramaiah Aged about 40 yrs Occ Agriculture R/ o Kadthal Village and Mandal Ranga Reddy Dist 509358
9. Gude Bharathamma, W/o Gude Ramulu Aged about 65 yrs Occ Agriculture R/o Kadthal Village and Mandal Ranga Reddy Dist 509358
10. Goreti Chandrasekhar, S/o Mallaiah Aged about 32 yrs Occ Agriculture R/o. 2-44/1 Kadthal Village and Mandal Ranga Reddy Dist 509358
11. Gudur Srinivas Reddy, S/o Narayana Reddy Aged about 52 yrs Occ Agriculture R/o.1-30 Kadthal Village and Mandal Ranga Reddy Dist509358
12. Gorati Krishtaiha, S/o Mallaiah Aged about 38 Yrs Occ Agriculture R/o. 2-44/1 Kadthal Village and Mandal Ranga Reddy Dist 509358
13. Jambula Abhishek Reddy, S/o Jambula Radha Krishna Reddy Aged about 38 Yrs Occ Agriculture R/o. 8-4-12/59, Plot No 59 Sairam Nagar Phase 2 Anji Reddy Nagar Kharaman Ghat Saroornagar Ranga Reddy Dist500079

14. Kadari Ramakrishna, S/o Kadari Shivaraju Aged about 41 Yrs Occ Agriculture R/o. Kadthal Village and Mandal Ranga Reddy Dist 509358
15. Guduru Shekar Reddy, S/o Kanth Reddy Aged about 66 Yrs Occ Agriculture R/o. 2-11 Shivalayam Street Kadthal Village and Mandal Ranga Reddy Dist 509358
16. Guduru Bharathamma, W/o G Krishna Reddy Aged about 74 Yrs Occ Agriculture R/o. Plot No.8 H No 8-7-55, Hasthinapuram Central Near sai baba temple, Shiridi Sai Nagar Colony, Vaishalinagar Ranga Reddy Dist 500079
17. Shekhar Kalyankar, S/o Late K Kishan Ji, Aged about 64 Yrs, Occ Agriculture, R/o. 13-3-396/148/B, Durga Nagar, Sai Durga Nagar Karwan Sahu, Hyderabad 500006
18. Muthy Krishna, S/o Muthy Jangaiah, Aged about 41 Yrs, Occ Agriculture, R/o. Kadthal Village and Mandal Ranga Reddy Dist 509358
19. Nenavath Jemla, S/o. Nenavath Thouriya, Aged about 54 Yrs Occ Agriculture, Plot No 58 SP Gayathri Hills Nadergul Ranga Reddy Dist 501510
20. Jambula Radha Krishna Reddy, S/o Jambula Damodhar Reddy Aged about 54 Yrs Occ Agriculture R/o. 8-4-12/59, Plot No 59, Sairam Nagar Phase 2 Anji Reddy Nagar Kharaman Ghat Saroornagar Ranga Reddy Dist 500079
21. M Lachiram, S/o M Bivhya Nayak, Aged about 44 Yrs Occ Agriculture H No.36 Kadthal Post Mysigandi, Kanugubavi Thanda Kadthal Village and Mandal Ranga Reddy Dist 509358

...APPELLANTS

AND

1. Union of India, Rep by its Secretary Ministry of Power Shram Shakti Bhawan Rafi Marg New Delhi
2. The Central Electricity Authority, Seva Bhavan R K Puram New Delhi 110066
3. The Central Electricity Regulatory Commission, Having its office at 3rd and 4th Floor Chanderlok Building No 36 Janpath New Delhi 110001
4. The District Magistrate and District Collector, Ranga Reddy District
5. The Revenue Divisional Officer, Kandukur Division Kandukur Mandal Ranga Reddy District
6. The Mandal Revenue Officer, Kadthal Village Kadthal Mandal Ranga Reddy District
7. Powergrid Bidar Transmission Ltd, A wholly Owned Subsidiary of Power Grid Corporation of India Limited Shad Nagar Office CAO Plot No 779 Sri Sai Balaji Township Solipur Village Shad Nagar Ranga Reddy District 509 216

...RESPONDENTS

IA 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 direct the 7th Respondent not to lay the transmission lines of 765kv through the

Kadthal Village, more specifically between the identified marks C and B marked on the plan, while suspending the order dated 25.11.2025 passed in W.P. No. 23776 of 2025 dismissing the writ petition.

Counsel for the Appellant : SRI A.SUHAS CHARY for SRI T.SURYA SATISH

**Counsel for the Respondent No.1TO3 : SRI N.BHUJANGA RAO,
Dy.Solicitor General Of India**

**Counsel for the Respondents No.4to6: SRI MURALIDHAR REDDY KATRAM,
GP FOR REVENUE**

**Counsel for the Respondents No.7 : SRI L.RAVICHANDER,
Senior Counsel for SRI MAYUR MUNDRA**

The Court made the following: JUDGMENT

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT APPEAL No.4 OF 2026

DATE: 05.02.2026

Between:

Gorati Sunitha and 20 others

....Appellants

AND

Union of India and 6 others

....Respondents

JUDGMENT

This Writ Appeal assails the order dated 25.11.2025 passed by the learned Single Judge in W.P.No.23776 of 2025, whereby the writ petition filed by appellants (hereinafter referred to as 'writ petitioners') seeking a writ of mandamus against the laying of 765 KV overhead electricity transmission lines over their agricultural lands in Kadthal Village, Ranga Reddy District, was dismissed.

2. Heard Sri T.Surya Satish, learned counsel appearing on behalf of Sri A. Suhas Chary, learned counsel for the appellants; Sri Muralidhar Reddy Katram, learned Government Pleader for Revenue department for respondent Nos.4 to 6 and Sri L.Ravichander, learned Senior Counsel appearing on behalf of

Sri Mayur Mundra, learned counsel for the respondent No.7 and perused the material on record.

Factual background (in brief)

3. The 7th respondent i.e., Powergrid Bidar Transmission Limited, a wholly owned subsidiary of Power Grid Corporation of India Limited, is engaged in the execution of a transmission project titled 'Transmission Scheme for Solar Energy Zone in Bidar (2500 MW), Karnataka', which *inter alia* includes construction of the Bidar PS – Maheshwaram (PG) 765 KV Double Circuit transmission line.

4. In furtherance of the said project, prior approval under Section 68(1) of the Electricity Act, 2003 (for short '2003 Act') was accorded by the Ministry of Power on 03.10.2023. Thereafter, public notices inviting objections were issued by publication in the Gazette of India dated 10.08.2024, as well as in three widely circulated newspapers, namely: The Times of India, Hindi Milap and Sakshi, on 25.05.2024. It is not in dispute that no objections were received from the public within the stipulated period.

5. Subsequently, the Central Electricity Regulatory Commission (CERC) granted a transmission licence to the 7th respondent on 30.10.2024. Final authorization under Section 164 of the 2003 Act was thereafter granted by the Ministry of Power *vide* Gazette Notification No.578 dated 31.01.2025,

specifying the villages through which the transmission line would pass, including Kadthal Village.

6. Pursuant to the above statutory clearances, the 7th respondent commenced field activities from October, 2024, including survey, alignment marking and foundation works for erection of transmission towers. It was contended by the appellants herein that notices were issued to certain landholders, including appellant Nos. 1 to 6, and construction activity also commenced on lands of other appellants, who allege that individual notices were not served upon them.

7. Aggrieved thereby, the appellants, claiming to be small and marginal farmers, submitted representations during October–November, 2024 to the local Member of Legislative Assembly, the Gram Panchayat, the revenue authorities and the 7th respondent. In the said representations, they alleged deviation from the approved alignment, erection of towers at unapproved angle points, absence of prior notice or consent, high-handed execution of works with police assistance, and adverse impact on agricultural operations and future development of the village.

8. The appellants also sought information under the Right to Information Act, 2005 (for short 'RTI Act') from the Central Electricity Authority. Relying upon the replies furnished thereto, they contended that the alignment being executed by the 7th

respondent in Kadthal Village did not correspond with the alignment originally approved.

9. On the aforesaid grounds, the appellants approached this Court by filing W.P.No.23776 of 2025. The said writ petition came to be dismissed by the learned Single Judge by order dated 25.11.2025, holding, *inter alia*, that no substantive material was placed on record to establish deviation from the approved alignment; that the 7th respondent had substantially complied with the statutory requirements under the 2003 Act and the Works of Licensees Rules, 2006 (for short '2006 Rules'), and that the appellants had efficacious alternative remedies available under the statutory framework.

10. Aggrieved by the said order, the appellants have preferred the present writ appeal.

Submissions on behalf of the appellants

11. Learned counsel for the appellants has contended as hereunder:

- i. That the 7th respondent has acted in excess of the statutory authorisations granted to it.
- ii. That the transmission line is being executed by deviating from the approved route alignment as notified under Gazette Notification No.578 dated 31.01.2025, issued in exercise of powers under Section 164 of the 2003 Act.

- iii. That the Angle Points referred to in the notices issued to some of the appellants, namely AP-122/0, AP-122A, AP-123, AP-125, AP-126 and AP-130, do not form part of the approved alignment insofar as Kadthal Village is concerned, and that erection of towers at these points amounts to an unauthorised deviation.
- iv. That works were commenced without issuing individual notices to all affected landowners and without obtaining their consent, thereby violating the 2006 Rules.
- v. That the alignment was deliberately altered to benefit certain influential persons, resulting in disproportionate hardship to small and marginal farmers of the village.
- vi. That the 7th respondent proceeded with execution of the works without possessing a valid transmission licence until 30.01.2025 and in breach of the statutory scheme governing transmission projects.
- vii. That the permission obtained from the District Collector under Section 16(1) of the Indian Telegraph Act, 1885 (for short '1885 Act') was misused to deploy police force in a coercive manner, thereby stifling legitimate objections raised by the appellants.

Submissions on behalf of the respondents

12. The learned Government Pleader and Senior Counsel appearing for the respondents supported the order of the learned Single Judge and contended hereunder:

- i. That the W.P.No.23776 of 2025, as well as the present appeal, is devoid of merit and proceeds on erroneous assumptions.
- ii. That the 7th respondent is a deemed transmission licensee under Section 14 of the 2003 Act and is fully authorised to execute the project in question.
- iii. That the alignment was finalised only after undertaking detailed feasibility studies, technical surveys and environmental, economic, safety, topographical and logistical assessments, strictly in accordance with Rule 10 of the 2006 Rules. Public notices inviting objections were duly issued by way of Gazette and newspaper publications on 25.05.2024, and no objections were received within the prescribed time.
- iv. That all requisite statutory clearances, including approvals from the Railways, the National Highways Authority of India (NHAI) and the Endowments Department, were obtained prior to commencement of the works.

- v. That minor adjustments in tower locations or Angle Points are inevitable engineering variations dictated by site-specific ground conditions and do not constitute deviation from the approved route alignment.
- vi. That the Angle Points objected to by the appellants do, in fact, form part of the sanctioned alignment as notified under Gazette Notification No.578 dated 31.01.2025.
- vii. That the order under Section 16(1) of the 1885 Act was lawfully issued and that police assistance was requisitioned only to prevent obstruction to a project of national importance and not to coerce landowners.
- viii. That the Annexure-I, providing details of each appellant, the number of legs of the transmission line falling within the extent of their respective lands, along with the corresponding notice numbers and dates of issuance was brought on record. It is submitted that the said Annexure clearly establishes that all the appellants were duly put on notice prior to commencement of the works, thereby dispelling the allegation of lack of notice.

13. The learned Senior Counsel for the respondent No.7 in support of his case has placed reliance on the following decisions:

- i. ***The Power Grid Corporation of India Limited v. Century Textiles & Industries Limited and others***¹
- ii. ***Sri Sai Surya Gardens (P) Limited v. Union of India and another***²
- iii. ***K Subba Raju v. Executive Engineer, TLC Division, APTRANSCO and others***³
- iv. ***Devisetty Ramaswamy v. The Chief Engineer***⁴
- v. ***Bommi Reddy Narasimha Reddy and others v. Powergrid Corporation of India Limited and others***⁵

14. We have taken note of the respective submissions advanced and the material on record.

Consideration by this Court

15. In the present writ appeal the controversy arises in the context of execution of a large-scale transmission infrastructure project, that necessarily requires an examination of the statutory scheme governing such projects, particularly the Electricity Act, 2003, the Works of Licensees Rules, 2006, and the powers conferred under the Indian Telegraph Act, 1885.

16. It is pertinent to note that the 2003 Act read with the 2006 Rules constitutes a self-contained and exhaustive code governing the planning, approval and execution of transmission projects. The Hon'ble Supreme Court has consistently held that where disputes involve technical, engineering and infrastructural considerations, the writ Court ought to exercise

¹ (2017) 5 SCC 143

² 2004 (2) ALT 256

³ 2010 (2) U.P.L.J.243

⁴ 2013 (4) ALT 616

⁵ 2013 SCC OnLine AP 1008

restraint under Article 226 of the Constitution, especially when the statute provides for appropriate alternative remedies and specialised forums. The approach adopted by the learned Single Judge, therefore, calls for no interference on the ground of jurisdictional impropriety.

17. It is to be noted that by virtue of Section 164 of the 2003 Act, a transmission licensee is vested with all powers exercisable by a 'telegraph authority' under the 1885 Act. Sections 10 to 16 of the 1885 Act confer wide statutory authority to place and maintain transmission lines over, under or across any land or property, subject to payment of compensation as contemplated under Section 10(d).

18. Further, Section 16(1) of the 1885 Act, empowers the District Magistrate to intervene where the exercise of powers under Section 10 is resisted or obstructed. The said provision recognises the practical realities involved in execution of public utility projects and enables the District Magistrate to permit the authority to proceed with the work, including by providing necessary administrative or police assistance.

19. In the present case, the District Collector, upon being satisfied about the statutory approvals and the public importance of the project, passed an order under Section 16(1) permitting the 7th respondent to carry out the works and to seek police assistance, if required, to prevent obstruction. The

learned Single Judge has rightly observed that such assistance, when rendered pursuant to a lawful order, cannot be characterised as arbitrary or high-handed. Thus, the statutory scheme strikes a balance by preserving the landowners' right to compensation while ensuring that projects of public importance are not stalled.

20. On perusal of the material on record, it establishes that the 7th respondent is a deemed transmission licensee under Section 14 of the 2003 Act and has obtained all requisite statutory approvals, including prior approval under Section 68(1), grant of transmission licence by the CERC, and authorisation under Section 164 *vide* Gazette Notification No.578 dated 31.01.2025, which specifically includes Kadthal Village within its scope.

21. The Hon'ble Supreme Court in ***Indsil Hydro Power & Manganese Ltd. v. State of Kerala and others***⁶ has held hereunder:

45. We are in agreement with the view of the State Government, as accepted by the High Court, that the Appellant was not entitled to the grant of deemed generation status as a matter of right. Similarly, the concessional power tariff which is applicable for a period of five years from 1994 to 1999 was extended until 20 August 2000. This is undoubtedly a matter of policy and the High Court was justified in coming to the conclusion that it is not open to the Court to foist a particular measure of policy on the State. In what manner the State should remedy the grievance of the private investor is something which should be duly considered by the State Government within the available framework of law and its own policy.

(Emphasis supplied)

⁶ (2020) 16 SCC 276

22. It is to be noted that the contention of the appellants that the 7th respondent undertook works without a valid licence is not borne out by the record. The licence was granted on 30.10.2024 and the subsequent authorisation under Section 164 only fortified the powers already vested in the licensee. Any preliminary activities undertaken prior thereto were preparatory in nature and cannot be construed as illegal.

23. Further, Rule 10 of the 2006 Rules, obligates the licensee to conduct surveys, prepare plans and consider objections. The documents produced by the 7th respondent demonstrate compliance with these requirements. Therefore, the allegation that no technical or feasibility studies were undertaken is untenable.

24. It is also relevant to note that the principal grievance of the appellants relates to the alleged deviation from the approved alignment and the placement of certain Angle Points. The 7th respondent has categorically asserted, with reference to the approved alignment schedule, that the disputed Angle Points form part of the sanctioned route.

25. It is well settled that in projects of this nature, minor adjustments in tower locations or angle points owing to terrain, soil conditions, safety clearances or logistical constraints are inherent and do not amount to a substantive deviation from the approved alignment. The appellants have not produced any

independent technical material to demonstrate that the alleged changes alter the essential character or route of the transmission line. In the absence of such evidence, this Court would be slow to substitute its own assessment for that of technical experts.

26. The Apex Court in ***The Power Grid Corporation of India Limited*** (*supra* 1) has held as under:

21. Section 10 of the Indian Telegraph Act, 1885 empowers the Telegraph Authority to place and maintain a telegraph line under, over, along or across and posts in or upon any immovable property. The provision of Section 10(b) of the Indian Telegraph Act, 1885 makes it abundantly clear that while acquiring the power to lay down telegraph lines, the Central Government does not acquire any right other than that of user in the property. Further, Section 10(d) of the Indian Telegraph Act, 1885 obliges the Telegraph Authority to ensure that it causes as little damage as possible and that the Telegraph Authority shall also be obliged to pay full compensation to all person interested for any damage sustained by them by reason of the exercise of those powers.

23. We, thus, have no hesitation in rejecting the argument of the writ Petitioner that the impugned action of the Power Grid was contrary to the provisions of the Electricity Act, 2003.

(Emphasis supplied)

27. The Hon'ble Supreme Court in ***Centre for Public Interest Litigation v. Union of India and others***⁷ while reiterating the view taken in ***Federation of Railway Officers Assn. v. Union of India***⁸ has held hereunder:

20. Minimal interference is called for by the Courts, in exercise of judicial review of a Government policy when the said policy is the outcome of deliberations of the technical experts in the fields inasmuch as Courts are not well-equipped to fathom into such domain which is left to the discretion of the execution.

⁷ (2016) 6 SCC 408

⁸ (2003) 4 SCC 289

28. A perusal of Annexure-II, namely '*Petitioner-wise details vis-à-vis Compensation and Tower Status - Timeline*', discloses the particulars of compensation paid to each of the appellants, along with the respective dates of such payment. Though it was contended on behalf of the appellants that the compensation amounts were returned, no material has been placed on record to substantiate the said assertion. Significantly, the appellants have failed to furnish any particulars whatsoever regarding the alleged refund, including the date of refund or the amount said to have been returned. In the absence of any supporting material, the said contention remains a bald assertion and cannot be accepted.

29. It is pertinent to note that the 2003 Act and the 2006 Rules provide for an efficacious statutory mechanism to ventilate grievances relating to alignment, execution of works and compensation. In the instant case, the appellants have not demonstrated that such remedies are either illusory or inefficacious. Thus, their grievances essentially pertain to technical and factual aspects which are better suited for adjudication by the competent authorities under the statute.

30. It is to be noted that the transmission line in question forms part of a major scheme intended for evacuation of solar power from the Bidar Solar Energy Zone. Such projects are of significant public importance and directly subserve national

objectives relating to renewable energy and energy security. While individual hardship cannot be lightly brushed aside, the statutory framework is designed to balance private rights with public necessity through safeguards of notice and compensation, which, in the present case, have been duly observed.

Conclusion

31. For the foregoing reasons, this Court is of the considered view that the learned Single Judge has undertaken a proper appreciation of facts and law. The findings recorded neither suffer from perversity nor disclose any illegality or jurisdictional infirmity warranting interference by this Court. The order dated 25.11.2025 passed by the learned Single Judge in W.P.No.23776 of 2025 is hereby affirmed.

32. Accordingly, the Writ Appeal is dismissed. There shall be no order as to costs.

As a sequel, the miscellaneous petitions, if any, shall stand closed.

SD/-P.CH.NAGABHUSHAMBA
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

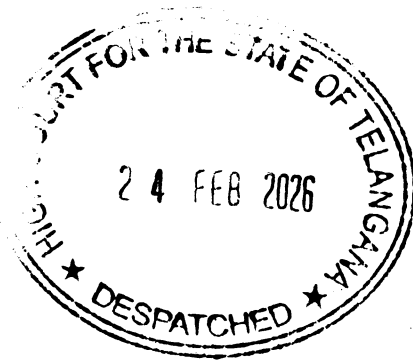
1. One CC to SRI T.SURYA SATISH, Advocate. [OPUC]
2. One CC to SRI N.BHUJANGA RAO, Deputy Solicitor General of India, High Court for the State of Telangana at Hyderabad. [OPUC]
3. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to SRI MAYUR MUNDRA, Advocate. [OPUC]
5. Two CD Copies.

BSK

Ys

HIGH COURT

DATED:05/02/2026



JUDGMENT

WA.No.4 of 2026

**DISMISSING THE WRIT PETITION
WITHOUT COSTS**

8 copies
18
18/2/26