

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**MONDAY, THE SIXTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX**

PRESENT

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

WRIT APPEAL NO: 307 OF 2026

Writ Appeal under clause 15 of the Letters Patent against the order dated 10/12/2025 in WP:NO. 26451 of 2021 on the file of the High Court.

Between:

1. Rayapudi Siva Kumari, W/o Ch.Venkataramana, Age 48 Years, Occ. Software Engineer, R/o Flat No.G-1,
2. Ravi Kiran Kesanakurti, S/o K.A.Krishna Rao, Aged 35 years, Occ. Software Engineer, R/o Flat No.G-2,
3. Bheempalli Rajesh Kumar, S/o B.Rama Brahmam, Aged 45 years, Occ. Software Engineer, R/o Flat No.G-3,
4. J.V.S.Siva Prasad, S/o J.V.L.N.Rama Dasu, Aged 44 years, Occ. Software Engineer, R/o Flat No.101,
5. Kundam Sreedevi, W/o Yerri Swamy Reddy, Aged 49 years, Occ. Lecturer. R/o Flat No.103,
6. Banoth Hussain, S/o Valya, Aged 54 years, Occ. Software Engineer, R/o Flat No.202,
7. Gone Sahul Kumar, S/o Ashok Kumar, Age. 41 years, Occ. Software Engineer, R/o Flat No.204
8. P.V.V.S.S.Ratna Kumar, S/o P.V.Rajeswara Rao, Aged 45 years, Occ. Software Engineer, R/o Flat No.205,
9. Lolla Nirupama, D/o L.Nageshwara Rao, Aged 34 years, Occ. Software Engineer, R/o Flat No.303,
10. Nandipati Anusha, W/o N. Ajay Kumar, Aged 30 years Occ. Software Engineer, R/o Flat No.304, All are Residents of Elite Residency, Dollar Hills Colony, Pragathi Nagar, Kukatpally, Hyderabad-500 090

...APPELLANTS

AND

1. Nimmagadda darahasa lahari, S/o N.V.Ranga Rao, Aged 62 years, Occ. Retd. Govt. Employee, R/o Flat No.402, Elite Residency, Dollar Hills Colony, Pragathi Nagar, Kukatpally, Hyderabad.
2. Geethanjali Chandrasekharan, D/o T.R.Chandrasekharan, Aged 30 years, Occ. Software Engineer, R/o Flat No.G-4,

3. Chandra Sekhar Penugonda, S/o V.Rajeshwara Rao, Aged 43 years, Occ. Software Engineer, R/o Flat No.G-5,
4. A. Hari Gopal, S/o Nagabushana Rao, Aged 45 years. Occ. Software Engineer, R/o Flat No.G-6,
5. Reddy Vinod Kumar, S/o Satyanarayana, Aged 36 years, Occ. Software Engineer, R/o Flat No.102,
6. Nekkanti Venkata Satya Kishore, S/o N.V.V.S.Prasad, Aged 39 years, Occ. Software Engineer, R/o Flat No.104,
7. Upadhyayula Nagamani, W/o Satya Prasad, Aged 60 years, Occ. Software Engineer, R/o Flat No.105,
8. Dr.Bhavani Kiran Parvathaneni, W/o Srinivas Kosaraju, Aged 43 years, Occ. Dentist, R/o Flat No.106,
9. Utpala Vishnuvardhani, W/o S. Muralidharan, Aged 48 years, Occ. Software Engineer, R/o Flat No.201,
10. Porika Padma, W/o Korra Shankar, Aged 50 years, Occ. Software Engineer, R/o Flat No.203,
11. Karri Srinivasa Rao, S/o Sivaiah, Aged 53 years, Occ. Software Engineer, R/o Flat No.206,
12. Patta Samatha, W/o Gopala Raju, Aged 43 years, Occ. Software Engineer, R/o Flat No.301,
13. Kothapalli P.V.Sai Pavan Kumar Varma, S/o K.Panduranga Raju, Aged 35 years Occ. Software Engineer, R/o Flat No.302,
14. Animalla Supriya, W/o Animalla Raju, Aged 36 years, Occ. Software Engineer, R/o Flat No.305,
15. G. Prasanna Lakshmi, W/o Nagaraju Ajaya Varma, Aged 39 years, Occ. Software Engineer, R/o Flat No.306, Respondent No.9 to 22 are Residents of Elite Residency, Dollar Hills Colony, Pragathi Nagar, Kukatpally, Hyderabad-500 090.
16. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund, Hyderabad.
17. The Commissioner, HMDA, Swarna Jayanthi Commercial Complex, Ameerpet, Hyderabad.
18. The Planning Officer, (YR), H.M.D.A., Swarna Jayanthi Commercial Complex, Ameerpet, Hyderabad.
19. Vatti Srinivasa Reddy, S/o Late Venkatappa Reddy, Age. 50 years Occ. Business, R/o Flat No.505, Blossom Apartments, Indira Nagar, Near Reliance Fresh, Gachibowli, VTC Serilingampally, Hyderabad- 500 032
20. Vatti Suneela, W/o Vatti Srinivasa Reddy, Age. 50 years, Occ. Business, R/o Flat No.505, Blossom Apartments, Indira Nagar, Near Reliance Fresh, Gachibowli, VTC Serilingampally, Hyderabad- 500 032.
21. Smt. Geetha Chakravarthi, W/o.Nimmagadda Darahasa Lahari, R/o Flat No.401, Elite Residency, Dollar Hills Colony, Pragathi Nagar, Kukatpally, Hyderabad.

22. The Commissioner, Nizampet Municipal Corporation, Pragatinagar, Hyderabad.

(Respondent No.2 to 15 are Proforma/Not necessary parties to this Appeal)

...RESPONDENTS

IA NO: 2 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 suspend the order dated. 10/12/2025 in I.A.No.1 of 2022 in WP No.26451 of 2021 pending disposal of the above Writ Appeal.

Counsel for the Appellant : SRI JAGADISH KADUDAS

**Counsel for the Respondent No.1 : SRI G.VIJAY SAGAR,
SENIOR COUNSEL rep., SRI GANGAVARAPU VIJAYA BHASKAR**

Counsel for the Respondent No.14 : SRI MAMIDI SAI YADAV

Counsel for the Respondent No.16 : GP FOR MA & UD

Counsel for the Respondent No.17&18: SRI V.NARASIMHA GOUD, SC FOR HMDA

**Counsel for the Respondents No.22 : SRI PUTTA KRISHNA REDDY,
SC FOR MUNICIPALITY**

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.307 of 2026

DATE:16.03.2026

Between:

Rayapudi Siva Kumari and 9 others

....Appellants

And

Nimmagadda Darahasa Lahari and 21 others

....Respondents

JUDGMENT

Heard Sri Jagadish Kadudas, learned counsel appearing for the appellants; Sri G.Vidya Sagar, learned Senior Counsel representing Sri G.Vijaya Bhaskar, learned counsel appearing for respondent No.1; Sri Mamidi Sai Yadav, learned counsel appearing for respondent No.14; Sri V.Narasimha Goud, learned Standing Counsel for Hyderabad Metropolitan Development Authority (HMDA) appearing for respondent Nos.17 and 18 and Sri Krishna Reddy Putta, learned counsel appearing for respondent No.22.

2. This writ appeal, under Clause 15 of the Letters Patent, is preferred by the appellants herein, who are respondent Nos.1, 2, 3, 7, 9, 14, 16, 17, 21 and 22 in I.A.No.1 of 2022 in W.P.No.26451 of 2021, assailing the order of the learned Single Judge dated 10.12.2025. By the said order, the learned Single Judge allowed I.A.No.1 of 2022 filed

by respondent No.1 herein under Section 340 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C'). The learned Single Judge, being *prima facie* satisfied that appellants Nos.3, 7 and 8 (Petitioner Nos.3, 7 and 17 in the writ petition) had forged the signatures of several other co-petitioners on the Vakalatnama filed in the main writ petition, directed the Registrar (Judicial-I) to take necessary steps for initiating proceedings against them.

Factual matrix

3. The dispute concerns an apartment complex known as "*Elite Residency*" situated at Pragathi Nagar, Hyderabad. The builders, respondent Nos.19 and 20 herein (Vatti Srinivasa Reddy and Vatti Suneela), obtained a sanctioned plan from the then Gram Panchayat in 2007 for a Ground + 3 floors structure comprising 24 flats. They sold these flats to various individuals, including the appellants, between 2012 and 2014.
4. Disputes arose when the builders constructed two additional structures on the terrace of the third floor, styled as penthouses bearing Flat Nos.401 and 402. These constructions were alleged to be unauthorised and in deviation of the sanctioned plan. The said penthouses were sold in July, 2021 to respondent Nos.1 and 21, namely Nimmagadda Darahasa Lahari and his wife, on the representation that the constructions had been regularized by the

Hyderabad Metropolitan Development Authority (HMDA) *vide* proceedings dated 21.06.2021.

5. Aggrieved by the said construction and the alleged inaction of the statutory authorities, a group of 24 flat owners, including the appellants, instituted W.P.No.26451 of 2021. The writ petition sought a declaration that the inaction of GHMC and HMDA on their representations dated 04.10.2021 was illegal and arbitrary, and further sought a direction to demolish the alleged unauthorised penthouses. The petition also questioned the validity of the HMDA regularization proceedings dated 21.06.2021, alleging the same to be 'fake'.

6. During the pendency of the writ petition, respondent No.1, who had purchased one of the penthouses, filed I.A.No.1 of 2022 under Section 340 of the Cr.P.C. The application alleged commission of offences relating to fabrication of evidence and perjury in connection with the filing of the writ petition. The basis of the said application was that the Vakalatnama dated 25.10.2021 filed in the writ petition purportedly bore the signatures of all 24 writ petitioners. Upon obtaining a certified copy of the said Vakalatnama, respondent No.1 alleged that several signatures therein were forged, in particular, the signatures attributed to petitioner Nos.4, 6, 10, 12, 20, 23, and 24 were stated to be fabricated.

7. It was alleged that on the date of execution of the Vakalatnama, the said individuals were not present in Hyderabad, as some of them

were residing abroad, including in the United States of America, United Kingdom, and Gulf countries, while others were residing in different States such as Maharashtra and Andhra Pradesh. On that basis, it was contended that it was not possible for them to have affixed their signatures on the Vakalatnama. Further reliance was placed on an email dated 11.09.2022 purportedly issued by petitioner No.6 (Sri A. Hari Gopal), wherein he stated that he had not signed any Vakalatnama in connection with the writ petition. On the strength of these circumstances, an allegation was made that petitioner Nos.3, 7, and 17 (who are the appellants herein) had forged the signatures of the aforesaid petitioners with a view to create a false impression of a collective grievance.

8. It was also stated that a complaint had been lodged with the police authorities in respect of the alleged forgery, and the same was registered for investigation. The High Court, by order dated 10.12.2025 in I.A.No.1 of 2022 in W.P.No.26451 of 2021, recorded a *prima facie* view regarding fabrication of certain signatures in the Vakalatnama and directed the Registrar (Judicial) to take necessary steps for initiating appropriate proceedings in accordance with law.

Submissions on behalf of the appellants

9. Learned counsel for the appellants, assailed the impugned order and has advanced his submissions as under:

- i) That the learned Single Judge erred in entertaining the perjury application and ordering an inquiry without first deciding the

main writ petition, and that an inquiry under Section 340 Cr.P.C. is a serious matter and cannot be initiated on mere suspicion. The primary purpose of the provision is to prevent the obstruction of justice, and it should not be used as a tool to harass the other parties.

- ii) That the appellants denied the allegations of forgery, as the main petitioners in the writ petition, they had authorization from the other residents to file the writ petition. That it was not necessary for all petitioners to personally sign the Vakalatnama if they had authorized its filing, and that the learned Single Judge erroneously concluded that a *prima facie* case existed, based on the mere residence of some petitioners abroad, without any conclusive proof that the signatures were indeed forged.
- iii) That the e-mail from the 6th petitioner, which was heavily relied upon by the respondents, was not a verified document, and its contents were disputed. It is contended that the appellants were not aware of any such communication.
- iv) That the dispute involved common areas of the apartment complex and was a collective grievance. The appellants, being the ones present and actively involved, took the lead in filing the petition. Even if some signatures were obtained by them, it was with the implied consent of the other owners who were interested in the litigation. It cannot be termed as "forgery" with

mala fide intent. They relied on the principle that a writ petition is maintainable even if filed by one of the affected parties, and therefore there was no motive to forge signatures.

- v) That no prejudice was caused to the respondents by the inclusion of other names, as the allegations in the writ petition pertained to a common grievance. The other individuals, even if their signatures were not genuine, did not come forward to disown the petition at the initial stage.
- vi) That the learned Single Judge dismissed the main writ petition solely on the basis of HMDA's counter regarding regularization. The appellants have strong grounds in the writ appeal on the merits of the main dispute, and the perjury proceedings are a collateral attempt to stifle their genuine grievance. If the inquiry is allowed to continue, it would cause them serious and irreparable prejudice. The delay in filing the Vakalatnama is not a ground for such severe action.

Submissions on behalf of respondent No.1

10. Learned counsel appearing for respondent No.1 (petitioner in I.A.No.1 of 2022) has advanced his submissions as under:

- i) That fabrication of documents, particularly in judicial proceedings, strikes at the very root of the administration of justice. The filing of a Vakalatnama containing forged signatures constitutes a serious criminal offence, amounting to perjury and contempt of Court. The Court cannot turn a blind

eye to such practices, irrespective of the merits of the main case.

- ii) That the respondent placed on record material to demonstrate the alleged forgery, including a certified copy of the Vakalatnama. It is further submitted that petitioner No.23 (Animalla Supriya) filed a separate application *vide* I.A. No.1 of 2023 seeking deletion of her name from the array of parties, specifically alleging that her signature on the Vakalatnama was forged, as she was in Abu Dhabi on the relevant date. This constitutes a direct and uncontroverted assertion from one of the persons concerned.
- iii) That the e-mail attributed to the 6th petitioner, Sri A. Hari Gopa., states that he did not visit the apartment in October 2021 and did not sign any Vakalatnama, thereby lending further support to the allegation of forgery.
- iv) That a significant aspect is that the appellants (Petitioner Nos.3, 7, and 17), in their counter-affidavits filed in the perjury application, did not specifically deny the allegation of forgery, but merely stated that they were "not aware" whether the other petitioners were abroad or had signed the Vakalatnama. Such a response, in the face of specific allegations and supporting material, is evasive. It is further submitted that no affidavits were filed from the other petitioners confirming authorization,

which would ordinarily be expected if such authorization existed.

- v) That the filing of the writ petition with allegedly forged signatures was a calculated attempt to project a false impression of unanimous opposition by the residents, with the intention of harassing the respondent and his family, who had purchased the penthouses. Reference is also made to subsequent criminal cases lodged by the respondent, including FIRs alleging trespass, mischief, and causing death, to demonstrate the ongoing disputes between the parties.
- vi) That the learned Single Judge, upon consideration of the material on record, including the assertions of the concerned parties, rightly formed a *prima facie* view regarding the alleged forgery. The direction issued to the Registrar (Judicial) to conduct an inquiry under Section 340 Cr.P.C. is in accordance with law. The present appeal is devoid of merit and is only an attempt to delay the inquiry.

11. We have taken note of the respective contentions urged and perused the material on record, particularly the certified copy of the impugned order, the pleadings in I.A.No.1 of 2022, and the various counter-affidavits.

Consideration by this Court

12. Section 340 of the Cr.P.C. provides the mechanism for a Court to deal with offences affecting the administration of justice, as enumerated in Sections 175 to 195 of the Indian Penal Code (now corresponding provisions under the Bharatiya Nyaya Sanhita, 2023 (BNS,2023)), when such offences are alleged to have been committed in, or in relation to, proceedings before that Court. The provision mandates that prior to making a complaint, the Court may conduct a preliminary inquiry, if it considers it necessary, and record a finding that it is expedient in the interests of justice to inquire into such offence. The satisfaction required at this stage is only a *prima facie* satisfaction and not a conclusive determination of guilt.

13. In the present case, the learned Single Judge arrived at a *prima facie* view that petitioner Nos.3, 7, and 17 (the appellants herein) had forged the signatures. This Court finds the said conclusion to be well-founded for the following reasons:

- i) Admission by a Co-Nominee: The most significant material on record is the separate application filed by original Petitioner No.23, Animalla Supriya (Respondent No.14 herein), seeking deletion of her name from the writ petition. It was specifically submitted before the learned Single Judge that on the date on which the Vakalatnama was purportedly executed, i.e., 25.10.2021, she was in Abu Dhabi. This constitutes a direct

statement before the Court indicating that her signature on the Vakalatnama was not genuine. The said assertion was not rebutted by the appellants by placing any material to establish her presence in Hyderabad on the relevant date.

- ii) Corroborative Material: The e-mail attributed to the 6th petitioner, A. Hari Gopal, stating that he had not signed the Vakalatnama, lends further support to the allegation. Though the appellants contend that they were unaware of such communication, the same remains part of the record and has not been effectively controverted.
- iii) Evasive Denials by the Appellants: This Court has carefully perused the counter-affidavits filed by the appellants, namely Bheempalli Rajesh Kumar, J.V.S. Siva Prasad, and P.V.V.S.S. Ratna Kumar, in response to the application under Section 340 Cr.P.C. Their stand is that they were not in contact with the other flat owners and were unaware as to whether the other petitioners were abroad or whether the signatures were forged. Such a response, in the face of specific allegations and supporting material, is clearly evasive. The appellants have neither asserted that they had obtained proper authorization from the other petitioners nor placed any material in support thereof. No authorization letters have been produced, nor has any categorical assertion been made that the signatures on the

Vakalatnama are genuine. In these circumstances, the absence of a specific denial assumes significance.

14. The arguments advanced by the learned counsel for the appellants do not merit acceptance:

- i) The contention that a writ petition is maintainable at the instance of a single individual and that the appellants had "authorization" is misconceived. An alleged oral authorization cannot justify the affixture of signatures on a formal document such as a Vakalatnama, which is a legal instrument authorizing an Advocate to act on behalf of a party. The issue pertains to the manner in which the names of several individuals were included in the petition. If consent had indeed been obtained, the absence of genuine signatures remains unexplained. The specific assertion by petitioner No.23 that her signature was forged further undermines this contention. The act of affixing a signature purporting to be that of another person, without due authority, constitutes forgery.
- ii) The contention that no prejudice was caused is untenable. The filing of a fabricated document affects the integrity of the judicial process, as it creates an impression before the Court that multiple persons are parties to the proceedings when, in fact, they may not be. Such conduct has the potential to influence the course of litigation. Therefore, the prejudice

extends to the administration of justice itself, and the Court cannot countenance the use of forged documents.

- iii) The initiation of proceedings under Section 340 Cr.P.C. is not contingent upon the outcome of the main proceedings. An offence affecting the administration of justice can be examined independently and at any stage. The dismissal of the writ petition does not efface or condone the alleged act of filing a forged document in the course of such proceedings.
- iv) The merits of the underlying dispute relating to the penthouses are distinct from the issue concerning alleged forgery of a Court document. The existence of arguable grounds in the main appeal does not absolve the appellants from scrutiny in respect of alleged offences committed in the course of judicial proceedings.

15. This Court is under a solemn duty to preserve the sanctity and purity of its proceedings. When a strong *prima facie* case of forgery of a document filed before the Court is brought to its notice, supported by material such as a co-petitioner's affidavit disowning her signature, the same cannot be disregarded. The learned Single Judge was, therefore, justified in taking cognizance of the issue and initiating proceedings under Section 340 Cr.P.C. The direction issued to the Judicial Registrar constitutes the initial step in the statutory process, ensuring that an inquiry is conducted to ascertain the veracity of the

allegations. Such a direction does not amount to imposition of any penalty, but is only a procedural step to determine whether a complaint is required to be made in accordance with law.

Conclusion

16. For the foregoing reasons, this Court find no infirmity or illegality in the order of the learned Single Judge dated 10.12.2025 in I.A.No.1 of 2022 in W.P.No.26451 of 2021. The order is based on a correct appreciation of the facts and the law. The allegations of forgery are not frivolous; they are supported by *prima facie* evidence. The appeal is devoid of any merit and is liable to be dismissed.

17. Accordingly, the Writ Appeal is dismissed. The order of the learned Single Judge directing the Registrar (Judicial-I) to take necessary steps forthwith is hereby upheld. The Registrar shall proceed with the inquiry in accordance with law.

As a sequel, miscellaneous petitions, pending if any, stand closed. No costs.

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Sd/-MOHD. ISMAIL
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund, Hyderabad.
2. The Commissioner, HMDA, Swarna Jayanthi Commercial Complex, Ameerpet, Hyderabad.
3. The Planning Officer, (YR), H.M.D.A., Swarna Jayanthi Commercial Complex, Ameerpet, Hyderabad.
4. The Commissioner, Nizampet Municipal Corporation, Pragatinagar, Hyderabad.
5. One CC to SRI JAGADISH KADUDAS, Advocate. [OPUC]
6. One CC to SRI GANGAVARAPU VIJAYA BHASKAR, Advocate. [OPUC]

Contd....

7. Two CCs to GP for Municipal Administration and Urban Development, High Court for the State of Telangana at Hyderabad. [OUT]
8. One CC to SRI KRISHNA REDDY PUTTA, SC FOR MUNICIPALITY/MC. [OPUC]
9. One CC to SRI V.NARASIMHA GOUD, SC FOR HMDA. [OPUC]
10. One CC to SRI MAMIDI SAI YADAV, Advocate. [OPUC]
11. The REGISTRAR, (**JUDICIAL-I**), High Court for the State of Telangana at Hyderabad.
12. Two CD Copies.

BSK

PMK



HIGH COURT

DATED:16/03/2026

JUDGMENT

WA.No.307 of 2026



**DISMISSING THE WRIT APPEAL
WITHOUT COSTS**

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