

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

**FRIDAY, THE TWENTY FOURTH DAY OF APRIL
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: 474 OF 2026

Writ Appeal under clause 15 of the Letters Patent Against the Order Dated 09-04-2026 in W.P.No 11752 of 2023 on the file of the High Court.

Between:

Talasani Sravan Reddy, S/o. Talasani Sekhara Reddy, aged about 38 years,
R/o. Kalvakurthy village and Mandal, Nagar Kurnool District.

AND

...APPELLANT

1. The Union of India, Ministry of Roads, rep. by its Regional Officer, Transport and Highways, Regional Office, R andB Building Complex, Erra Manzil, Hyderabad.
2. The Engineer- in -Chief, (Roads and Buildings), National Highways, CRF Building, Hyderabad.
3. The National Highway Authority of India, rep. by its Chairperson, Sector -10, Dwaraka, New Delhi.
4. The Revenue Divisional Officer-Competent Authority, Kalvakurthy Division, Nagarkurnool District

...RESPONDENTS

I.A. 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 direct the respondents not to utilize/consume the land of the petitioner i.e., 25 guntas from out of Ac.1-00 in Sy.No.509 of Kotrasivar village, Veldanda Mandal, Nagarkurnool

District for the purpose of Kalwakurthy Bypass road on NH-167K, pending disposal of the appeal.

I.A. 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 suspend the operation and effect of the order passed in I.A.No.1 of 2024 in W.P.No.11752 of 2023, dated 09.04.2026, pending disposal of the appeal.

**Counsel for the Appellant : SRI VEDULA VENKATARAMANA,
rep., M/S.BHARADWAJ ASSOCIATES**

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

Counsel for the Respondent No.2 : SRI P.HARINATH GUPTA

Counsel for the Respondent No.3 : --

Counsel for Respondent No.4 : SRI E.RAMESH CHANDRA GOUD, GP FOR LA

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.474 of 2026

Dated: 24.04.2026

Between:

Talasani Sravan Reddy

...Appellant

and

The Union of India,
Ministry of Roads,
Rep. by its Regional Officer,
Transport and Highways, Regional Office,
R&B Building Complex, Erra Manzil, Hyderabad,
and 3 others.

...Respondents

JUDGMENT:

Learned Senior Counsel Sri Vedula Venkataramana, representing
M/s. Bharadwaj Associates, appears for the appellant.

Sri N.Bhujanga Rao, learned Deputy Solicitor General of India,
appears for respondent No.1.

Learned counsel Sri P.Harinath Gupta appears for respondent No.2.

Sri E.Ramesh Chandra Goud, learned Government Pleader for Land Acquisition, appears for respondent No.4.

2. Heard learned counsel for the parties.
3. The present appeal arises out of the interim order dated 09.04.2026 passed by the learned writ court in I.A.No.1 of 2024 in W.P.No.11752 of 2023.
4. In the writ petition preferred by the appellant, apart from questioning the action of respondent No.4 in not deciding the objections of the appellant dated 17.10.2022 in respect of the acquisition to be made by the notification under Section 3A of the National Highways Act, 1956 (hereinafter referred to as, "the Act"), dated 01.09.2022, towards construction of Kalwakurthy bypass road and issuing final notification under Section 3D of the Act by including the land of the appellant in Survey No.509 of Kotrasivar Village, Veldanda Mandal, Nagarkurnool District, as arbitrary and illegal, the appellant also prayed for an interim relief in I.A.No.1 of 2023 to direct the respondents not to utilise/consume the land of the appellant i.e., 25 guntas from out of one

acre in Survey No.509 of Kotrasivar Village, Veldanda Mandal, Nagarkurnool District, for the purpose of the Kalwakurthy bypass road on NH-167K pending disposal of the writ petition.

5. On 26.04.2023, the learned writ court, taking into consideration the fact that the endorsement was bereft of reasons and has not answered the objections raised by the appellant, granted interim direction as prayed for. The impugned interim order dated 09.04.2026 has vacated the earlier interim order dated 26.04.2023 on the I.A.No.1 of 2024 filed by the respondent No.4. On that day, the appellant was not represented. That has aggrieved the appellant to prefer this appeal.

6. Learned Senior Counsel for the appellant has drawn the attention of this court to the endorsement in File No.E/2682022, dated: -.10.2022, and submitted that though on receipt of objection petition, the appellant was served a notice to appear on 17.10.2022 for personal hearing, but his objections have not been dealt with while the National Highways Authority of India has proceeded to issue the notification under Section 3D of the Act. The learned writ court, however, on the instant occasion relying upon the decision of the Apex Court in **Union of India v. Kushala Shetty**¹ at paragraph 28, proceeded to vacate the interim order

¹ (2011) 12 SCC 69

in the absence of the appellant, who was not represented on that sole day. In the meantime, if the acquisition is given shape by construction of the road, the whole *lis* would be rendered infructuous, as the appellant's land would be consumed in that process. This has compelled the appellant to prefer this appeal.

7. Learned Government Pleader for Land Acquisition appearing for respondent No.4 and the learned counsel for respondent No.2 both objected to the prayer. They have also sought to draw the attention of this court to the endorsement dated 05.12.2022 which would rebut the case of the appellant i.e., the objections have been dealt with by the competent authority as per the scheme of the Act and the notification under Section 3D of the Act has been issued. Upon issuance of the notification under Section 3D of the Act, any declaration made by the Central Government under Section 3D(1) of the Act cannot be called in question in any court or by any other authority. Therefore, the learned writ court has, taking note of the ratio rendered in the case of **Kushala Shetty** (supra), rightly vacated the interim order, as the whole project would unnecessarily be withheld.

8. We have considered the submissions of the learned counsel for the parties and the relevant material necessary to appreciate the

challenge to the interim order impugned herein whereby the learned writ court vacated its earlier interim order.

9. We are conscious not to make any comments on the merits or the contentions of the parties, as the writ petition is pending adjudication on the cause of action raised by the appellant that without dealing with the objections to the notification under Section 3A of the Act, the respondents have proceeded to acquire the land by issuance of the notification under Section 3D of the Act.

10. In the circumstances discussed above, we do not feel inclined to interfere in the impugned interim order dated 09.04.2026. However, we are of the opinion that since the impugned interim order in the nature of vacation of the earlier interim order was passed on a date on which the appellant was not represented, perhaps inadvertently, it would be in the fitness of things that the appellant seeks modification or recall of the impugned interim order before the learned writ court and/or early hearing of the writ petition. If such an interlocutory application is filed by 27.04.2026, the matter be posted on the said interlocutory application before the learned writ court on 29.04.2026. The learned writ court is requested to consider the prayer made in such interlocutory application in accordance with law. Let it be made clear that this court has not gone

into the merits of the case of the parties. Till 29.04.2026, *status quo* as on date be maintained.

11. The writ appeal is accordingly disposed of with the above said observations. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

Sd/-MOHD. ISMAIL
DEPUTY REGISTRAR

//TRUE COPY//



SECTION OFFICER

To,

1. The Regional Officer, Union of India, Ministry of Roads, Transport and Highways, Regional Office, R and B Building Complex, Erra Manzil, Hyderabad.
2. The Engineer-in-Chief, (Roads and Buildings), National Highways, CRF Building, Hyderabad.
3. The National Highway Authority of India, rep. by its Chairperson, Sector -10, Dwaraka New Delhi.
4. The Revenue Divisional Officer-Competent Authority, Kalvakurthy Division, Nagarkurnool District
5. The Section Officer, Posting Section, High Court for the State of Telangana, at Hyderabad.
6. The Section Officer, Writ Division Bench Section, High Court for the State of Telangana, at Hyderabad.
7. The Section Officer, Writ Non-Service Section, High Court for the State of Telangana, at Hyderabad.
8. One CC to M/S.BHARADWAJ ASSOCIATES, Advocate. [OPUC]
9. One CC to SRI N.BHUJANGA RAO, Deputy Solicitor General of India, High Court for the State of Telangana at Hyderabad. [OPUC]
10. Two CCs to GP FOR LAND ACQUISITION, High Court for the State of Telangana at Hyderabad. [OUT]
11. One CC to SRI P.HARINATH GUPTA, Advocate. [OPUC]
12. Two CD Copies.



BSK/PMK

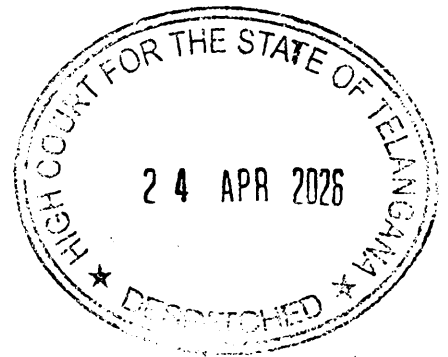
HIGH COURT

DATED: 24/04/2026

LIST ON 29/04/2026

JUDGMENT

WA.No.474 of 2026



**DISPOSING OF THE WRIT APPEAL
WITHOUT COSTS**

(15) MT
24/4/26