

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

**TUESDAY, THE SEVENTH 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: 173 OF 2026

Writ Appeal under clause 15 of the Letters Patent Preferred Against Order Dated 06/01/2026 in WP.No.22753 of 2025 on the file of the High Court.

Between:

1. K. Ganesh, S/o. Late K. Shankaraiah Aged. 71 years, Occ. Shop
2. K. Manikyam, W/o. K. Ganesh Aged. 66 years, Occ. Housewife

Both the petitioners are R/o. H.No. 7-1-109, ChapalBavi, Near ChapalBavi Public Garden, Secunderabad, Hyderabad

**...APPELLANTS/
WRIT PETITIONERS**

AND

1. Commissioner cum Appellate Authority, Department for Empowerment of Persons with Disabilities, Senior Citizens and Transgender Persons Nalgonda X Roads, Malakpet, Hyderabad - 36
2. Collector and District Magistrate, Hyderabad District.
3. Assistant Director, Department for Empowerment of Persons with Disabilities, Senior Citizens and Transgender Persons Nalgonda X Roads, Malakpet, Hyderabad - 36
4. Revenue Divisional Officer, Secunderabad Division, Hyderabad District.
5. K. Girish, S/o K. Ganesh Aged. 46 years, Occ. Business R/o. H.No. 7-1-109, Chapal Bavi, Near ChapalBavi Public Garden, Sec-bad, Hyderabad, Telangana-500003.
6. Sri K. Lakshmi, W/o K.Girish Aged. 43 years, Occ. Tailor R/o. H.No. 7-1-109, Chapal Bavi, Near ChapalBavi Public Garden, Sec-bad, Hyderabad, Telangana-500003.

**...RESPONDENTS/
RESPONDENTS**

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 order passed by 1st Respondent vide Appeal No. S1/344/2025 dt. 22/07/2025 pending disposal of the writ appeal.

Counsel for the Appellants: SRI RAVI CHANDRA BEJJARAM

Counsel for the Respondent Nos.2 TO 4: ADDL. ADVOCATE GENERAL

**Counsel for the Respondent Nos.5 & 6: SRI RAPOLU ABHINAV FOR SRI RAPOLU
BHASKAR**

Counsel for the Respondent No.1: --

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. 173 of 2026 ✓

DATED : 07.04.2026

Between:

K. Ganesh and another

... Appellants

AND

Commissioner cum Appellate Authority Department
for Empowerment of Persons with Disabilities,
Senior Citizens & Transgender Persons, Malakpet,
Hyderabad, and five others

... Respondents

JUDGMENT:

Sri Ravi Chandra Bejjaram, learned counsel appears for appellants.

Sri M. Rama Krishna, learned Special Government Pleader attached to the Office of the learned Additional Advocate General appears for respondent Nos.2 and 4.

Sri Rapolu Abhinav, learned counsel appears for Sri Rapolu Bhaskar, learned counsel respondent Nos.5 and 6.

2. Heard learned counsel for the appellants, State and respondent Nos.5 and 6.

3. When the matter was taken up on 12.02.2026, the following order was recorded.

“The instant Writ Appeal arises out of Order dated 06.01.2026, passed by the learned Writ Court in W.P.No.22753 of 2025, wherein challenge was laid to the order dated 22.07.2025, passed by respondent No.1, in appeal filed by the appellants (parents) under the provisions of Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

Learned Writ Court held that respondents No.5 and 6, who are son and daughter-in-law, having contributed for development of the subject property cannot be denied right to stay in the said property. The order of the appellate authority was accordingly modified with a direction to respondents No.5 and 6 to pay Rs.6,000/- per month to the appellants (parents) jointly and take care of appellant No.2, who is the mother and is allegedly bedridden. Learned Writ Court further held that if respondents No.5 and 6 fail to do so, they have no right to seek continuation in the subject property.

The subject property appears to be ground + three floors. While the appellants resided in the ground floor, the first and the second floors are said to have been vacated and respondents No.5 and 6 are residing in the third floor.

During the course of arguments, learned counsel for the appellants submitted that the appellants want the subject property to be vacated by respondents No.5 and 6 as they are not only indulging in verbal abuse and torture, but also causing obstruction in the first and second floors being let out to any tenants. Therefore, appellants have been constrained to prefer this Writ Appeal.

Learned counsel for respondents No.5 and 6, on being asked, has sought for time to furnish an undertaking on behalf of the said respondents that they would not indulge in any activities like the above

for the peaceful stay of the appellants (parents) or for occupation of the first and second floors of the vacant building by any tenants on being let out by the appellants.

Let such a statement on affidavit be brought on record by respondents No.5 and 6 within one week.

The matter be listed on 02.03.2026.”

4. Thereafter, respondent Nos.5 and 6 have furnished separate affidavits-cum-undertakings, paras 2 and 3 of which read as under:

“2. I submit that, I am hereby undertaking that I wouldn’t indulge in any activities of verbal abuse, torture and also I would not indulge in causing obstruction in the first and second floors being let out to any tenants.

3. I submit that, I would not indulge in any activities like above for the peaceful stay of the appellants (parents) or for occupation of the first and second floors of the vacant building by any tenants on being let out by the appellants.”

5. On the previous date, the matter was adjourned to see whether the arrangement arrived at pursuant to the undertaking given by respondent Nos.5 and 6 works out or not. It was observed that both the parties would exercise restraint in the meantime.

6. Today, when the matter has been taken up, learned counsel for the appellants submits that the arrangement is working out smoothly and the appellant parents are happy with

it. However, the appellants have requested for increase in the maintenance amount of Rs.6,000/-.

7. Learned counsel for respondent Nos.5 and 6 submits that respondent No.5 is suffering from epilepsy. Moreover, the first and second floors are available for being let out by the appellant parents. Therefore, the amount of maintenance may not be increased for the present.

8. Learned counsel for the appellants submits that respondent Nos.5 and 6 have not made payment of maintenance, as directed by the writ Court @Rs.6,000/- per month, to both the appellants jointly since January, 2026.

9. Upon hearing the learned counsel for the parties, we are satisfied that as a result of the endeavour taken by the Court, the appellant parents and respondent Nos.5 and 6, children, are living peacefully in the same premises without any disturbance.

10. Considering the fact that the impugned direction to pay maintenance @Rs.6,000/- has been issued only on 06.01.2026

by the writ Court, we do not feel persuaded to enhance the maintenance amount at this stage. However, respondent Nos.5 and 6 undertake to pay the arrears of maintenance by 15th May, 2026, besides paying the monthly maintenance amount by 7th day of the every following month. This maintenance amount would continue for a period of nine (9) months from the date of the order dated 06.01.2026 passed by the writ Court. Thereafter, respondent Nos.5 and 6 should pay the enhanced maintenance amount of Rs.8,000/- to the appellants. The relevant bank account details of the appellant parents are being indicated hereunder.

Name of the Bank : State Bank of India
Name of the Branch : ST. Mary's Road, Sona Arcade,
Secunderabad.
Savings Account No : 30283866121
Account Holder Name : K. Ganesh & K. Manikyakumari
IFSC : SBIN0008779

11. The instant Writ Appeal is disposed of in the aforesaid manner. Needless to say, on failure to pay regular maintenance amount as directed by the learned writ Court, it would be open

to the appellants to take recourse to law. There shall be no order as to costs.

Miscellaneous applications, if any pending, shall stand closed.

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SD/- L.LAKSHMI BABU
DEPUTY REGISTRAR

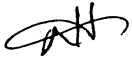
SECTION OFFICER

To

1. Commissioner cum Appellate Authority, Department for Empowerment of Persons with Disabilities, Senior Citizens and Transgender Persons Nalgonda X Roads, Malakpet, Hyderabad - 36
2. Collector and District Magistrate, Hyderabad District.
3. Assistant Director, Department for Empowerment of Persons with Disabilities, Senior Citizens and Transgender Persons Nalgonda X Roads, Malakpet, Hyderabad - 36
4. Revenue Divisional Officer, Secunderabad Division, Hyderabad District.
5. One CC to SRI RAVI CHANDRA BEJJARAM, Advocate [OPUC]
6. Two CCs to ADDL. ADVOCATE GENERAL, High Court for the State of Telangana, at Hyderabad. [OUT]
7. One CC to SRI RAPOLU BHASKAR, Advocate [OPUC]
8. Two CD Copies

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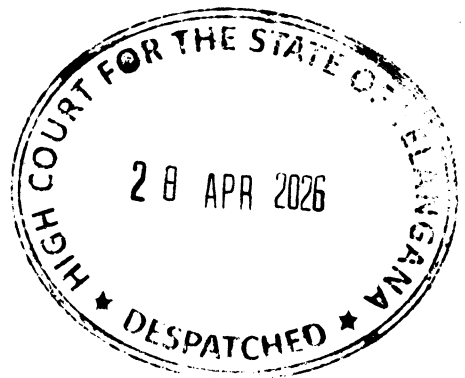
TKS



HIGH COURT

DATED: 07/04/2026

**JUDGMENT
WA.No.173 of 2026**



**DISPOSING OF THE WRIT APPEAL
WITHOUT COSTS**

⑪ NT
22/4/26.