

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

**MONDAY, THE TWENTIETH 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: 444 OF 2026

Writ Appeal under clause 15 of the Letters Patent Against Order Dated 10/03/2026 in WP No 6654 of 2026 on the file of the High Court.

Between:

K. Jagadeeshwar Reddy, S/o Late. Narayana Reddy, Age. 70 Years, Occ. Retd Bank Employee, - R/o. Bheem Nagar, Gadwal Town, Jogulamba Gadwal Dist, Telangana.

...APPELLANT

AND

1. The State of Telangana, Rep. by its Principal Secretary, Home Department Secretariat Buildings, Hyderabad.
2. The Superintendent of Police, Jogulamba Gadwal District.
3. The Station House Officer, Gadwal Town P.S, Gadwal.

...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 suspend the order passed on 10.03.2026 in W.P.No.6654 of 2026.

Counsel for the Appellant : SRI A.RAGHU, rep., M/s.PILLIX LAW FIRM

Counsel for the Respondents: SRI MAHESH RAJE, GP FOR HOME

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.444 of 2026

Dated: 20.04.2026

Between:

K.Jagadeeshwar Reddy

...Appellant

and

The State of Telangana,
Rep. by its Principal Secretary,
Home Department,
Secretariat Buildings, Hyderabad,
and 2 others.

...Respondents

JUDGMENT:

Learned counsel Sri A.Raghu, representing M/s. Pillix Law Firm,
appears for the appellant.

Sri Mahesh Raje, learned Government Pleader for Home, appears
for the respondents.

2. The present writ appeal arises out of the judgment dated 10.03.2026 passed by the learned Single Judge disposing of W.P.No.6654 of 2026 filed by the appellant.

3. Alleging criminal trespass on the subject property in respect of which the appellant claims to have got a decree in appeal on his title against the Municipal Corporation, Gadwal, the appellant lodged FIR No.19 of 2026 against five accused persons under Sections 329(3), 126(2), 352 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023. The appellant also sought police protection by approaching the Sub Inspector of Police, Gadwal Town Police Station, Jogulamba-Gadwal District, which according to him, was not acted upon. Therefore, he approached the learned writ court for declaring the action of respondent No.3 in failing to prevent the unlawful trespass and interference by the accused persons over the appellant's property admeasuring Ac.0.29 guntas of land situated in Survey No.454 of Bheem Nagar, Gadwal Town, Jogulamba-Gadwal District, despite registration of FIR No.19 of 2026 as illegal, arbitrary and violative of Articles 21 and 300A of the Constitution of India and consequently to direct respondent No.3 to take appropriate steps in accordance with

Section 176(1) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS).

4. The learned writ court declined to interfere in the matter giving liberty to the appellant to work out his remedies as available under law. It was also observed that the appellant has rushed to the court at a premature stage instead of making an appropriate application for relief of grant of police protection before the trial court. Being aggrieved, the present writ appeal has been preferred.

5. At the outset, we have serious doubts as to the maintainability of the writ appeal under Clause 15 of the Letters Patent jurisdiction of this court in view of the subject matter and the relief prayed for falling in the domain of criminal jurisdiction.

6. However, during the course of submissions, learned Government Pleader for Home appearing for the respondents submits that the appellant can approach the learned jurisdictional Executive Magistrate if there is any such alleged breach of peace in respect of the subject property or the nuisance created thereof by the unauthorised persons in an unlawful manner under the provisions of BNSS i.e., Section 164.

7. In such circumstances, learned counsel for the appellant seeks liberty to the appellant to approach the learned jurisdictional Executive Magistrate for redressal of his grievance.

8. The writ appeal is accordingly disposed of. The appellant may have the liberty as is permissible in law. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

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SD/- A.V.S.PRASAD
DEPUTY REGISTRAR

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SECTION OFFICER

To,

1. The Principal Secretary, Home Department Secretariat, Telangana State , Hyderabad.
2. The Superintendent of Police, Jogulamba Gadwal District.
3. The Station House Officer, Gadwal Town P.S, Gadwal.
4. One CC to M/s.PILLIX LAW FIRM Advocate [OPUC]
5. Two CCs to GP FOR HOME High Court for the State of Telangana, at Hyderabad [OUT]
6. Two CD Copies.

BSK

TKS

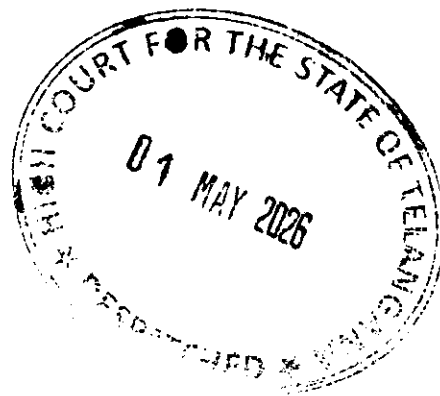


HIGH COURT

DATED: 20/04/2026

JUDGMENT

WA.No.444 of 2026



**DISPOSING OF THE WRIT APPEAL
WITHOUT COSTS**

(9) NT
29/4/26.