

**IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD  
(Special Original Jurisdiction)**

**TUESDAY, THE THIRTIETH DAY OF JUNE  
TWO THOUSAND AND TWENTY SIX**

**PRESENT**

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

**WRIT PETITION NO: 16840 OF 2026**

**Between:**

1. Dr. N.S.D.PRASAD RAO, S/o Late Sri N.K.Rao, Aged about 64 years, Occupation Medical Practitioner,
2. Dr. N.PRATHYUSHA CHOUDHARY, D/o Dr. N.S.D.Prasad Rao, Aged about 33 years, Occupation Medical Practitioner
3. Dr N.Pranav, S/o N.S.D.Prasad Rao, aged about 39 years, Occupation Medical Practitioner,

All are R/o H.No.12-4-115, Srihari Nagar, Moosapet, Kukatpally Mandal, Medchal Malkajgiri District, Hyderabad 500018, T.G.

**...PETITIONERS**

**AND**

1. The State of Telangana, Represented by the Principal Secretary to Government, Department of Home Affairs, Telangana State, Secretariat, Hyderabad 500022 T.G.
2. The Director General and Inspector General of Police, IG Office, Opposite Ravinder Bharathi, Hyderabad 500004 T.G.
3. The Commissioner of Police Cyberabad Police Commissionerate, Old Mumbai Highway, Next to Care Hospital Telecom Nagar Extension, Gachibowli Hyderabad, Telangana 500034, T.G.
4. The Deputy Commissioner of Police, Kukatpally zone, Near Metro Shopping Mall, Kukatpally, Hyderabad, Telangana 500072
5. The Assistant Commissioner of Police, Near Metro Shopping Mall, Kukatpally, Hyderabad, Telangana 500072
6. The Station House Officer, KPHB Police Station, Opp. JNTU, Jala Vayu Vihar. Kukatpally Mandal, Medchal-Malkajgiri Dist, Hyderabad 500072, T.G.

7. Smt. Satyavathi, W/o A.R. Srinivas, aged about 60 years, Occupation Household, R/o 10-2-289/63, Shanti Nagar, Masab Tank, Hyderabad 500028
8. Kasani Venkat, S/o Not known to the Petitioner, aged about 35 years, Occupation Private Service, C/o Smt. Satyavathi 10-2-289/63, Shanti Nagar, Masab Tank, Hyderabad 500028

### **...RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction particularly one in the nature of the writ of , mandamus, ordering and directing the official respondent nos. 1 to 6 herein to interdict the private respondents nos. 7 and 8 herein as well as all claiming under them or similarly situated with the use of sufficient force as and when required, to adhere to, comply with and obey the orders of the Divisional Bench of this Court in W.P. No. 15267 of 2025 dated 21-05-2025, which is in force and vogue as on this day, and consequently direct the Respondents not to interfere in the property of the Petitioners herein in Survey No 145/3, Hyder Nagar Village, Kukatpally Mandal, (now) Medchal Malkajgiri District, T.G. without following due process of law.

### **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 order and direct the Respondent Nos. 1 to 6 herein to interdict the private respondents nos.7 and 8 herein as well as all claiming under them or similarly situated with the use of sufficient force as and when required, to adhere to, comply with and obey the orders of the Divisional Bench of this Court in W.P. No. 15267 of 2025 dated 21-05-2025, which is in force and vogue as on this day, and consequently direct the Respondents not to interfere in the property of the Petitioners herein in Survey No 145/3, Hyder Nagar Village, Kukatpally Mandal, (now) Medchal Malkajgiri District, T.G.

**Counsel for the Petitioner: SRI SAROSH SAM BASTAWALA**

**Counsel for the Respondent No.1 to 6: GP FOR HOME**

**The Court made the following: ORDER**

**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 PETITION No.16840 of 2026**

**DATE: 30.06.2026**

**BETWEEN:**

Dr.N.S.D.Prasad Rao and 2 others

**....Petitioners**

**AND**

The Telangana State, Represented by  
the Principal Secretary to  
Government, Department of Home  
Affairs and 7 others.

**....Respondents**

**ORDER**

Heard Sri Sarosh Sam Bastawala, learned counsel for the  
petitioners; learned Government Pleader for Home appearing for  
respondent Nos. 1 to 6 and perused the record.

**2.** The present writ petition is filed with the following prayer:

*".....to issue a writ, order or direction particularly one in the nature of the writ of mandamus, ordering and directing the official respondent nos. 1 to 6 herein to interdict the private respondents nos. 7 & 8 herein as well as all claiming under them or similarly situated with the use of sufficient force as and when required, to adhere to, comply with and obey the orders of the Divisional Bench of this Court in W.P. No. 15267 of 2025 dated 21-05-2025, which is in force and vogue as on this day, and consequently direct the Respondents not to interfere in the property of the Petitioners herein in Survey No 145/3, Hyder Nagar Village, Kukatpally Mandal, (now) Medchal Malkajgiri District, T.G. without following due process of law and to pass such other order or orders as*

*this Honourable court may see fit and expedient in the facts and circumstances of this matter."*

**Factual background (in brief)**

**3.** The petitioners claim to be in lawful possession of land admeasuring Ac.7.00 Gts. in Sy.No.145/3 of Hydernagar Village, Kukatpally Mandal, Medchal-Malkajgiri District. According to them, their title and possession emanate from the proceedings in C.S.No.14 of 1958 concerning the erstwhile Paigah Khurshid Jah Estate, culminating in the Assignment Deed dated 07.05.1996, orders passed by this Court in Application Nos.469 and 470 of 1996 directing delivery of possession and the actual delivery of possession in E.P.No.26 of 2000 through Court process on 02.04.2007. It is further their case that subsequent litigations instituted by rival claimants came to be dismissed, the proceedings in Application No.361 of 2007 and batch were finally disposed of by this Court on 09.09.2024, and that their possession continues to be protected under the subsisting injunction granted in I.A.No.1136 of 2021 in O.S. No.261 of 2021.

**4.** The petitioners allege that in May, 2025, officials of HYDRA interfered with their possession by demolishing the compound wall surrounding the subject property without following due process of law, compelling them to institute W.P.No.15267 of 2025. By order dated 21.05.2025, a Division Bench of this Court directed the parties to maintain *status quo* with respect to the subject property while

permitting the authorities to remove any obstruction or illegal parking on the adjoining public road, if necessary. According to the petitioners, despite the said order, the interference continued, resulting in the institution of Contempt Case No.1314 of 2025, which is stated to be pending.

5. It is the further case of the petitioners that on 18.05.2026, respondent Nos.7 and 8 allegedly attempted to alter the nature of the subject property by erecting prefabricated compound walls and other structures in violation of the subsisting order of *status quo*. Although the petitioners claim to have lodged complaints with the police authorities and submitted representations seeking police intervention, no effective action was taken. Aggrieved by the alleged inaction of the respondent-police authorities and contending that the subsequent events necessitated immediate police protection for effective implementation of the order dated 21.05.2025 passed in W.P.No.15267 of 2025, the petitioners have instituted the present writ petition seeking appropriate directions under Article 226 of the Constitution.

**Submissions on behalf of the petitioners**

6. Learned counsel for the petitioners have made the following submissions:

- i. That the present writ petition is maintainable as it arises out of subsequent events that have occurred after the passing of the

order dated 21.05.2025 in W.P.No.15267 of 2025. It is contended that the fresh acts of interference, obstruction and threat allegedly caused by respondent Nos.7 and 8 and other third parties constitute a material change in circumstances, giving rise to an independent cause of action warranting the invocation of the extraordinary jurisdiction of this Court.

- ii. That although the order dated 21.05.2025 directed the parties to maintain *status quo*, the relief of police protection for effective implementation of the said order was neither sought nor granted therein. According to the learned counsel, in view of the subsequent developments and the continued attempts to violate the subsisting order of this Court, the petitioners are entitled to seek a direction to the respondent-police authorities to ensure compliance with the said order.
- iii. That the petitioners had promptly approached the respondent-police authorities by lodging complaints and submitting representations seeking police intervention. However, despite such requests, no effective action was taken by the authorities. It is, therefore, contended that having exhausted the available administrative remedy, the petitioners have no efficacious alternative except to invoke the writ jurisdiction of this Court for issuance of appropriate directions to the official respondents to extend police protection and prevent

interference with the petitioners' possession otherwise than in accordance with law.

**Submissions on behalf of the respondents**

7. Learned Government Pleader for Home appearing for the official respondents have made the following submissions:

- i. That the relief sought by the petitioners is, in substance, one for implementation of the interim order dated 21.05.2025 passed by this Court in W.P.No.15267 of 2025, which admittedly continues to remain pending. It is, therefore, contended that the institution of a separate writ petition for enforcement of the said order is wholly misconceived and not maintainable.
- ii. That if the petitioners are aggrieved by the alleged non-implementation of the interim order or by any subsequent developments, the proper course available to them is to approach the Court seized of W.P.No.15267 of 2025 by filing an appropriate application seeking further directions, police protection or such other consequential reliefs as may be warranted in law. The relief presently sought is merely ancillary to the principal relief in the pending writ petition and cannot be made the subject matter of an independent proceeding.

iii. That the alleged change in circumstances relied upon by the petitioners does not give rise to a fresh or independent cause of action so as to warrant the institution of a separate writ petition under Article 226 of the Constitution.

8. We have taken note of the respective submissions and the material placed on record.

**Consideration by this Court**

9. In the present case, it is contended by the learned counsel for the petitioners that the interim order dated 21.05.2025 passed in W.P. No.15267 of 2025 is explicit and unequivocal in directing the parties to maintain the *status quo* obtaining as on the date of the order. The said order continues to remain operative and binding upon the parties to the proceedings. Thus, the relief presently sought by the petitioners is, in substance, one for effective implementation of the aforesaid interim order by securing police protection. Such a relief, being incidental and ancillary to the proceedings in W.P. No.15267 of 2025, cannot ordinarily be made the subject matter of an independent writ petition. The extraordinary jurisdiction of this Court under Article 226 of the Constitution is discretionary, and where the grievance pertains to the implementation or enforcement of an order passed in a pending proceeding, the appropriate course is to approach the very Court seized of the matter.

**10.** The petitioners have an efficacious remedy of moving an appropriate application in W.P. No.15267 of 2025 seeking such consequential reliefs as may be warranted in law, including police protection, clarification or modification of the interim order, or initiation of appropriate proceedings for its alleged violation. Therefore, the institution of the present writ petition, seeking substantially the same relief in a separate proceeding cannot be countenanced.

**11.** The petitioners contention that subsequent acts of interference occurred during the period from 18.05.2026 to 25.05.2026 constitutes fresh or independent cause of action warranting the institution of a separate writ petition, cannot be accepted, as they constitute supervening circumstances which are required to be brought to the notice of the Court seized of W.P. No.15267 of 2025 by seeking appropriate consequential reliefs in accordance with law. Since the Division Bench hearing the said writ petition continues to be seized of the *lis*, any grievance relating to the implementation or alleged violation of the interim order directing maintenance of *status quo* must necessarily be agitated in the very same proceedings.

**12.** It is relevant to note that entertaining a separate writ petition in respect of matters which are intrinsically connected with, and arise out of, the implementation of orders passed in a pending writ petition would not only be procedurally inappropriate but would also

be contrary to the well-established principles governing orderly judicial administration. Judicial discipline demands that all issues relating to the implementation, enforcement or alleged violation of orders passed in pending proceedings be considered by the same Bench, or by the Court seized of those proceedings. Any other course would encourage multiplicity of litigation, result in parallel proceedings concerning the same subject matter, and create the possibility of inconsistent or conflicting orders. Thus, the alleged 'change in circumstances' does not give rise to a fresh cause of action warranting the institution of a separate writ petition.

13. Further, the position may have been different had the petitioners sought an independent relief unrelated to the pending writ petition or had the said writ petition been finally disposed of, rendering the Court *functus officio*. That, however, is not the position here. Since the writ petition continues to remain pending, any issue relating to the implementation or enforcement of the orders passed therein must be addressed before the Court seized of those proceedings.

### **Conclusion**

14. For the foregoing reasons, this Court is of the considered view that the present writ petition, founded on the alleged subsequent change in circumstances for seeking implementation of the interim

order passed in W.P. No.15267 of 2025, is not maintainable as an independent proceeding.

**15.** Accordingly, the Writ Petition is disposed of reserving liberty to the petitioners to approach the Court seized of W.P.No.15267 of 2025 by filing an appropriate application or by availing such other remedy as may be available in law.

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

**SD/- A.SREENIVASA REDDY  
ASSISTANT REGISTRAR**

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**SECTION OFFICER**

**To,**

1. The Principal Secretary to Government, Department of Home Affairs, Telangana State, Secretariat, Hyderabad, State of Telangana- 500022.
2. The Director General and Inspector General of Police, IG Office, Opposite Ravinder Bharathi, Hyderabad 500004 T.G.
3. The Commissioner of Police Cyberabad Police Commissionerate, Old Mumbai Highway, Next to Care Hospital Telecom Nagar Extension, Gachibowli Hyderabad, Telangana 500034, T.G.
4. The Deputy Commissioner of Police, Kukatpally zone, Near Metro Shopping Mall, Kukatpally, Hyderabad, Telangana 500072
5. The Assistant Commissioner of Police, Near Metro Shopping Mall, Kukatpally, Hyderabad, Telangana 500072
6. The Station House Officer, KPHB Police Station, Opp. JNTU, Jala Vayu Vihar. Kukatpally Mandal, Medchal-Malkajgiri Dist, Hyderabad 500072, T.G.
7. One CC to SRI SAROSH SAM BASTAWALA, Advocate [OPUC]
8. Two CCs to GP FOR HOME, High Court for the State of Telangana, at Hyderabad [OUT]
9. Two CD Copies

BSR

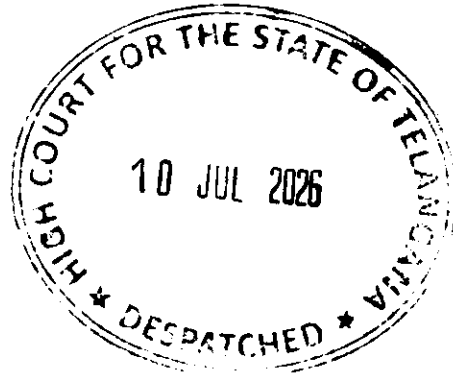
TKS  
fmg.

HIGH COURT

DATED: 30/06/2026

ORDER

WP.No.16840 of 2026



DISPOSING OF THE WRIT PETITION,  
WITHOUT COSTS

(12) PMG.  
9/7/26