

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

**FRIDAY, THE TWENTY NINTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE SUDDALA CHALAPATHI RAO

WRIT PETITION NO: 16943 OF 2026

Between:

1. Kadigary Niraja, W/o Kadigary Narsimha Reddy, Aged about 41 years, Occ Business, R/o H.No.3-95, Manchirevula, Gandipet Mandal, Ranga Reddy District.
2. Kadigary Anshitha, D/o Kadigary Narsimha Reddy, Aged about 17 years, Occ Student, R/o H.No.3-95, Manchirevula, Gandipet Mandal, Ranga Reddy District. Rep. by her mother natural guardian Kadigary Niraja W/o Kadigary Narsimha Reddy, Aged about 41 years, Occ Business, R/o H.No.3-95, Manchirevula, Gandipet Mandal, Ranga Reddy District.

...PETITIONERS

AND

1. The State of Telangana, Rep by its Principal Secretary, Department of Home, Secretariat, Hyderabad.
2. The Station House Officer, Banjara Hills Police Station.
3. Kadigary Narsimha Reddy, S/o Late K. Narayan Reddy Aged about 55 years, Occ Business R/o H.No.3-95, Manchirevula, Gandipet Mandal, Ranga Reddy District.

...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 an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of Respondent No. 2 in harassing, threatening, summoning to Police Station and illegally interfering with the life and liberty of the Petitioners, without there being any complaint as against the Petitioners as illegal, arbitrary, unconstitutional and violative of Articles 14, 19 and 21 of the Constitution of India and consequently, direct the Respondents No.2 not to harass, threaten and summon the Petitioners 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 direct the Respondents No.2 not to harass, threaten and summon the Petitioners without following due process of law, pending disposal of the present writ.

Counsel for the Petitioners: Ms. L.VANI

Counsel for the Respondent Nos.1 & 2: AGP FOR HOME

Counsel for the Respondent No.3: --

The Court made the following: ORDER

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

THE HONOURABLE SRI JUSTICE SUDDALA CHALAPATHI RAO

WRIT PETITION No.16943 of 2026

29th MAY, 2026

Between:

Kadigary Niraja and another

...Petitioners

and

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

...Respondents

ORDER

The present Writ Petition is filed seeking the following relief:

"...to issue an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of respondent No.2 in harassing, threatening, summoning to Police Station and illegally, interfering with the life and liberty of the petitioners, without there being any complaint as against the petitioners as illegal, arbitrary, unconstitutional and violative of Articles 14, 19 and 21 of the Constitution of India and consequently, direct the respondent No.2 not to harass, threaten and summon the petitioners without following due process of law and pass such other order(s) as this Court deem fit and proper in the interest of justice."

2. Heard Ms.L.Vani, learned counsel for the petitioners and learned Assistant Government Pleader for Home appearing for respondent Nos.1 and 2. Perused the record.

3. Learned counsel for the petitioners contended that a civil dispute existed between the petitioners and respondent No.3 and that the respondent-police has no authority to interfere in civil disputes unless directed by a competent Court. It is further contended that the respondent-police are highhandedly harassing, threatening and summoning the petitioners to the Police Station despite there being no complaint against the petitioners.

4. *Per contra*, the learned Assistant Government Pleader for Home submitted that a complaint has been received from respondent No.3 and that the petitioner is being summoned only for the purpose of investigation and the police authorities are not interfering with the civil rights of the petitioner.

5. Taking into consideration of the rival submissions and without expressing any opinion on the merits of the case, this Court deemed it appropriate to direct the petitioners to appear before the Investigating Officer on or before 28.06.2026 between 11:00 a.m. and 05:00 p.m. The Investigating Officer is further directed to strictly follow the procedure contemplated under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (previously Section 41-A of the Code of Criminal Procedure,

1973) as well as the guidelines laid down by the Hon'ble Supreme Court in *Arnesh Kumar v. State of Bihar*¹.

6. This Court further directs that the petitioners shall cooperate with the Investigating Officer by furnishing information and producing all relevant documents/material required for the purpose of investigation. The Investigating Officer is directed to consider the same and complete the investigation strictly in accordance with law.

7. Accordingly, the Writ Petition was disposed of. No costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

¹ (2014) 8 SCC 273

//TRUE COPY//

SD/-A. SREENIVASA REDDY
ASSISTANT REGISTRAR



SECTION OFFICER

To

1. The Principal Secretary, Department of Home, Secretariat, Hyderabad, State of Telangana.
2. The Station House Officer, Banjara Hills Police Station.
3. One CC to Ms. L.VANI, Advocate [OPUC]
4. Two CCs to GP FOR HOME, High Court for the State of Telangana, at Hyderabad. [OUT]
5. Two CD Copies

PSK.

BS

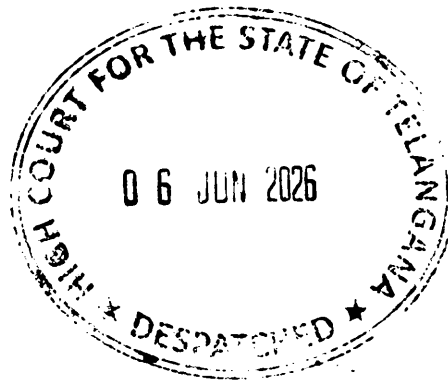


HIGH COURT

VACATION COURT

DATED: 29/05/2026

ORDER
WP.No.16943 of 2026



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.

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3/6/26