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

TUESDAY, THE NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION NO: 19287 OF 2024

Between:

M/s THOPUDU BANDLA CHIRU VYAPARULA SANGAM, registered before the Registrar of Societies under Registration No.1221 of 2018, rep by its President Smt. Katakam Sunitha, W/o K. Ashok, aged 50 years, R/o H. No..9-50/21/2, CPI Colony, Balaji Nagar, Jawahar Nagar, JJ Nagar Colony, Hyderabad - 500 087, Medchal-Malkajgiri District, Telangana State

...PETITIONER

AND

1. The State Of Telangana, Rep by Principal Secretary, Home Department, Secretariat, Hyderabad
2. The Commissioner of Police, Cyberabad Commissionerate.
3. The Station House Officer, Shamirpet Police Station, Medchal-Malkajgiri 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 a Writ, Order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents involving in the civil disputes, trying to dispossess and harassing the members of petitioner's society by calling to the police station and detaining them without following due procedure as illegal, arbitrary, unconstitutional, violative of principles of natural justice and violative of Article 21 of the constitution of India and consequently direct the respondents not to involve in civil disputes, harass the petitioners without following due procedure as contemplated under law.

IA NO: 1 OF 2024

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 respondents not to involve in the civil disputes and not to harass the petitioners society members by calling to the police station Without following due procedure of law, pending disposal of the Writ Petition.

Counsel for the Petitioner : SRI J.K.RANJIT KUMAR

Counsel for the Respondents: ASST. GP FOR HOME

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION No.19287 of 2024

DATE OF ORDER: 09.12.2025

Between:

M/s Thopudu Bandla Chiru Vyaparula Sangam registered before the Registrar of Societies under Registration No.1221 of 2018 represented by its President Smt. Katakam Sunitha.

...Petitioner

AND

The state of Telangana, represented by Principal Secretary, Home Department, Secretariat, Hyderabad and two others

...Respondents

ORDER:

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Home appearing for respondent Nos.1 to 3. With their consent, this writ petition is being taken up for disposal.

2. This writ petition is filed questioning the action of the respondents involving in the civil disputes, trying to dispossess and harass the members of the petitioner's society by calling to the police station and detaining them without following due procedure as being illegal, arbitrary, unconstitutional, violative of principles of natural justice and violative of Article 21 of the Constitution of India and seeking a consequential direction to respondents not to involve in civil

disputes, harass the petitioner without following due procedure as contemplated under law.

3. Learned Assistant Government Pleader appearing for Home has placed the written instruction submitted by the Sub-Inspector of Police, Shamirpet Police Station, Cyberabad Commissionerate wherein it is submitted that 3rd respondent is not involving in civil disputes and not trying to dispossess the petitioners and not harassing the members of the petitioner's society. It is submitted that Crime No.361 of 2023 dated 0309.2023 one D. Kumar, Girdawar of Shamirpet Mandal, Medchal-Malkajgiri District has given complaint on 03.09.2023 stating that on 03.09.2023 at around 07:30 hours the villagers of Upparapally Vilage, Shamirpet Mandal have informed that around 200 members were illegally encroached the land in Sy.No.837 of Shamirpet which belongs to Government, in this regard as per the instructions of Thahsidar, Shamirpet Mandal, while he was inspecting the land in Sy.No.837 of Upparapaly is observed one flexy inscribed as "Thopudubandla Chiruvyaparula Sangam" registered No.1221 of 2018 and about 200 members erecting huts in the said and while he was causing enquiries meantime the said persons attempted to kill him with dangerous weapons, fortunately he escaped from their clutches and sought for necessary action against the encroachers and persons who attempted to kill the said D. Kumar. It is further submitted that based on the contents and description of complaint., the Inspector of Police registered a case in F.I.R.No.361 of 2023 under Sections 447,

427, 307, 353 read with 34 of IPC and Section 3 of PDPP Act and investigation is entrusted to S.I of Police and during the course of investigation, A-1 Katakam Ashok was arrested on 04.09.2023 and sent to judicial custody. The Sub-Inspector of Police served 41-A Cr.P.C notices to A-2 to A-5 on 18.01.2024. After completion of investigation, charge sheet was filed before the Hon'ble VII Additional Metropolitan Magistrate at Medchal, Cyberabad on 31.01.2024 vide C.C.No.158 of 2024 and it is pending trial. It is submitted that except conducting investigation in the above crime, the 3rd respondent did not interfere into any civil disputes and did not try to dispossess the petitioner and did not harass the members of the petitioner's society.

4. Learned Assistant Government Pleader appearing for Home fairly submits that petitioner is the President of the petitioner's society however, some of the members of the petitioner's society are arrayed as accused in the said crime.

5. In that view of the matter, this writ petition is disposed of with consent directing the members of the petitioner's society who are arrayed as accused in Crime No.361 of 2023 of Shamirpet Police Station to co-operate with the investigation and respondent authorities to follow due procedure as contemplated under law for further course of action.

6. With these observations, this writ petition is disposed of with consent.

Miscellaneous applications, if any pending, sh: ll stand closed.

No order as to costs.

S D/-MOHD.ISMAIL
DEPUTY REGISTRAR

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SECTION OFFICER

To,

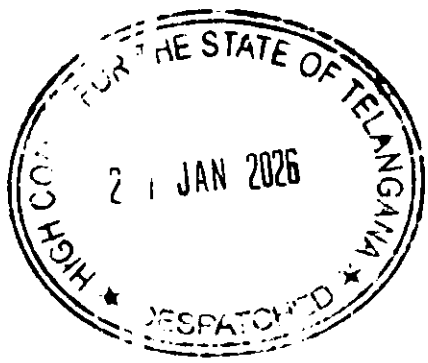
1. The Principal Secretary, Home Department, Secretariat, Telangana State, Hyderabad
2. The Commissioner of Police, Cyberabad Commissionerate
3. The Station House Officer, Shamirpet Police Station, Medchal-Malkajgiri District.
4. One CC to SRI J.K.RANJIT KUMAR, Advocate. [OPUC]
5. Two CCs to GP FOR HOME, High Court for the State of Telangana. [OUT]
6. Two CD Copies.

BSK

BS

HIGH COURT

DATED:09/12/2025



ORDER

WP.No.19287 of 2024

DISPOSING OF THE WRIT PETITION WITHOUT COSTS

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29/1/26