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

MONDAY, THE FIFTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 1601 OF 2026

Between:

1. Muddam Andalu, W/o Muddam Sathaiah, Aged about 60 years, Occ. Agriculture, R/o H. No. 1-99, Tupranpet Village and Choutuppal Mandal, Nalgonda District.
2. Muddam Sathaiah, S/o Muddam Chandraiah, Aged about 73 years, Occ. Agriculture, R/o H. No. 1-99, Tupranpet Village and Choutuppal Mandal, Nalgonda District.

...PETITIONERS

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The National Highway Authority of India, NH 65, Rep by its Chairman, Regional Office, Hyderabad.
3. The District Collector, Yadadri Bhongir District.
4. The Revenue Divisional Officer, Choutuppal Mandal, Yadadri Bhongir District.
5. The Tahsildhar, Choutuppal Mandal, Yadadri Bhongir District.
6. The State of Telangana, Rep. by its Principal Secretary, R and B Department,, Secretariat, Hyderabad.
7. The Superintendent Engineer, R and B Office, Yadadri Bhongir District.

*** Respondent nos.6 and 7 are impleaded as per C.O.dt.27.01.2026 in IA No.2/2026.**

...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

the Writ of Mandamus, declaring the action of respondent authorities, particularly the respondent. No. 2 to 5 in encroaching the petitioners house in H. No. 1-95 situated at Tupranpet Village, Choutuppal Mandal, Yadadri Bhongir District which is adjacent to the National Highway 64, without due process of law, without notice, without acquiring petitioners own house under the Land Acquisition Act, 2013 and without paying any compensation, as illegal arbitrary and against the principals of natural justice and in contrary to the existing laws. Consequently, to direct the respondent authorities not to interfere with the petitioners house in H. No. 1-95 situated at Tupranpet Village, Choutuppal Mandal, Yadadri Bhongir District which is adjacent to the National Highway 64, without due process of law, without notice, without acquiring petitioners own house under the Land Acquisition Act, 2013 and without paying any compensation

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 respondent authorities not to interfere with the petitioners house in H. No. 1-95 situated at Tupranpet Village, Choutuppal Mandal, Yadadri Bhongir District which is adjacent to the National Highway 64, without due process of law, without notice, without acquiring petitioners own house under the Land Acquisition Act, 2013 and without paying any compensation, pending disposal of the Writ Petition.

Counsel for the Petitioners: SRI CHALAKANI VENKAT YADAV

Counsel for the Respondent Nos. 1, 3 to 5: AGP FOR REVENUE

Counsel for the Respondent No. 2 : SRI M. RAMU, SC FOR NHAI

Counsel for the Respondent Nos. 6 & 7 : AGP FOR ROADS & BUILDINGS

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

HON'BLE MRS. JUSTICE SUREPALLI NANDA

WRIT PETITION No.1601 OF 2026

(CNR No. HBHC010026882026)

DATE: 05.10.2026

Between :

Muddam Andalu & another

... **Petitioners**

AND

The State of Telangana & others

... **Respondents**

O R D E R

Heard Sri Chalakani Venkat Yadav, learned counsel appearing on behalf of the petitioners, learned Assistant Government Pleader for Revenue, appearing on behalf of Respondent Nos.1, 3 to 5, Sri M. Ramu, learned standing counsel appearing on behalf of Respondent No.2 and learned Assistant Government Pleader for Roads and Buildings, appearing on behalf of Respondent Nos.6 and 7.

2. The petitioners approached this Court seeking the prayer as under:

"...to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of Respondent authorities, particularly the respondent Nos. 2 to 5 in encroaching the petitioners house in H.No.1-95 situated at Tupranpet Village, Choutuppal Mandal, Yadadri Bhongir District which is adjacent to the National Highway 64, without due process of law, without notice, without acquiring petitioners own house under the Land Acquisition Act, 2013 and without paying any compensation, as illegal arbitrary and against the principles of naturals justice and in contrary to the existing laws. Consequently, to direct the respondent authorities not to interfere with the petitioners house in H.No.1-95 situated at Tupranpet Village, Choutuppal Mandal, Yadadri Bhongir District which is adjacent to the National Highway 64, without due process of law, without notice, without acquiring petitioners own house under the Land Acquisition Act, 2013 and without paying any compensation and pass such other order..."

3. The case of the petitioners, in brief, is that the 2nd petitioner is the owner and possessor of the land in Assignment Sy.No.1-195, Assignment No.109, for several decades. Subsequently, the 2nd petitioner obtained house construction permission from the Gram Panchayat, Tupranpet, and constructed an RCC-roofed house. The Gram Panchayat allotted H.No.1-95 to the said house, and the Electricity Department provided electricity connection vide USC No.113537348. Owing

to health reasons, the 2nd petitioner obtained a House Owner Certificate from the Gram Panchayat, Tupranpet, on 29.06.2021 and executed a Sale Deed in favour of the 1st petitioner on the basis of the ownership and assessment value certificates. The Sub-Registrar, Choutuppal, registered the Sale Deed on 30.06.2021. Thereafter, the petitioners continued to enjoy the property peacefully. Recently, the respondent authorities allegedly attempted to enter and encroach upon the property without notice, acquisition proceedings or payment of compensation. Aggrieved thereby, the petitioners filed the present Writ Petition.

4. PERUSED THE RECORD:

(A) Written instructions vide Letter No.EE/R&B/ NH/HYD/DB/D1/NH-65/Hyd-Vjwd Section/2025-26 dated -01.2026 of the Executive Engineer (R&B), NH-Division, Hyderabad, dated 19.01.2026 are placed on record by the learned Assistant Government Pleader appearing on behalf of the respondents, and the relevant portion of the written instructions paras 2, 3 and 11 are extracted hereunder:

"2. The present works being undertaken on NH-65 at Tupranpet Village, including road widening, safety measures and

allied works, are being executed strictly within the existing ROW of 200 feet only. No private patta land beyond the ROW is being encroached upon or acquired. Hence, no land acquisition proceedings are involved, and the provisions of the RFCTLARR Act, 2013 are not applicable to the present works.

3. The petitioners' allegation that the respondents are attempting to encroach upon their house bearing H.No.1-95 without due process of law is incorrect, misleading and denied. Any activity undertaken by the Department pertains only to the existing National Highway ROW, which is legally permissible. The petitioners' structure is located within / abutting the notified ROW, and any obstruction removal or precautionary action is only to protect the statutory highway land.

11. It is further submitted that in the unlikely event any private land is required outside the notified ROW, the respondents shall strictly follow due process of law for acquisition in accordance with the provisions of the National Highways Act and applicable rules."

DISCUSSION AND CONCLUSION:

5. Learned counsel appearing on behalf of the petitioner mainly puts for the following submissions:

(i) The 2nd petitioner is the owner of the land in assignment Sy.No.1-195, Assignment No.109 since decades.

(ii) The 2nd petitioner obtained house construction permission from the concerned Grampanchayat, Tupranpet and constructed RCC Roof House.

(iii) The Grampanchayat allotted house number and electricity department issued power connection vide USC No.113537348.

(iv) The petitioners had been in continuous possession of the subject premises without any interruption since the date of assignment.

(v) The 2nd petitioner even obtained house owner certificate from the concerned Grampanchayat dated 29.06.2021 and a sale deed had been also issued in favour of the 1st petitioner on 30.06.2021 duly examining the documents in favour of the 1st petitioner herein.

(vi) In the recent past, the respondent authorities are trying to encroach into the petitioners' subject property, without issuing any notice, without following due process of law.

(vii) The petitioners cannot be deprived of their own property without following due process of law.

Based on the aforesaid submissions, the learned counsel appearing on behalf of the petitioners contends

that the petitioners are entitled for grant of the relief as prayed for, in the present writ petition.

6. Learned Assistant Government Pleader for Roads and Buildings placing reliance on written instructions vide Letter No.EE/R&B/NH/HYD/DB/D1/NH-65/Hyd-Vjwd Section/2025-26 dated -01.2026 of the Executive Engineer (R&B), NH-Division, Hyderabad, dated 19.01.2026, (referred to and extracted above) mainly puts forth the following submissions:

(i) No private patta land beyond the ROW within the existing ROW of 200 feet is being encroached upon or acquired.

(ii) The present works being undertaken on National Highway-65 at Tupranpet Village, including road widening, safety measures and allied works, are being executed strictly within the existing ROW of 200 feet only.

(iii) No land acquisition proceedings are involved in the present case.

(iv) The allegation of the petitioners against the respondents is that the respondents are attempting to encroach upon petitioners' property i.e., House No.1-95 is misleading and without any basis and in the unlikely event any private land is being required outside the

notified ROW, the respondents shall strictly follow due process of law for acquisition in accordance with the provisions of the National Highways Act and applicable rules.

(v) Under similar circumstances, this Court passed Orders in W.P.No.10846 of 2024 directing non interference with private land, and expressly clarified that the respondents are free to form the six-lane road within the existing ROW.

Based on the aforesaid submissions, learned Assistant Government Pleader contends that appropriate orders may be passed in the present writ petition.

7. Taking into consideration:

a) The aforesaid facts and circumstances of the case,

b) The submissions made by the learned counsel appearing on behalf of the petitioners and learned counsel appearing on behalf of the Respondents,

c) The Written instructions vide Letter No.EE/R&B/ NH/HYD/DB/D1/NH-65/Hyd-Vjwd Section/2025-26 dated -01.2026 of the Executive

Engineer (R&B), NH-Division, Hyderabad, dated 19.01.2026 (referred to and extracted above),

d) The discussion and conclusion as arrived at paragraph Nos.5 to 7 of the present order,

The writ petition is disposed of directing the respondents not to interfere with the petitioners subject property bearing H. No.1-95 situated at Tupranpet Village, Choutuppal Mandal, Yadadri Bhongir District, which is adjacent to the National Highway-64, without following due process of law, as admitted in their written instructions dated 19.01.2026, referred to and extracted above. However, respondents are at liberty to form the six-lane road within the existing ROW. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

SD/- K.V.O. NARSI BABU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, Secretariat, State of Telangana, Hyderabad.
2. The Chairman, National Highway Authority of India, NH 65, Regional Office, Hyderabad.

3. The District Collector, Yadadri Bhongir District.
4. The Revenue Divisional Officer, Choutuppal Mandal, Yadadri Bhongir District.
5. The Tahsildhar, Choutuppal Mandal, Yadadri Bhongir District.
6. The Principal Secretary, R and B Department, Secretariat, State of Telangana, Hyderabad.
7. The Superintendent Engineer, R and B Office, Yadadri Bhongir District.
8. One CC to SRI CHALAKANI VENKAT YADAV, Advocate [OPUC]
9. One CC to SRI M. RAMU, SC FOR NHAI, Advocate [OPUC]
10. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad [OUT]
11. Two CCs to GP FOR ROADS & BUILDINGS, High Court for The State of Telangana, at Hyderabad [OUT]
12. Two CD Copies

PVL

TKS

HIGH COURT

CC-TODAY

DATED: 05/10/2026

ORDER

WP.No.1601 of 2026



DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

(16)
09/10/26
K.K