IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE TWENTY SEVENTH DAY OF APRIL TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE P.SAM KOSHY
AND
THE HONOURABLE SRI JUSTICE NARSING RAO NANDIKONDA

LETTER PATENT APPEAL NO: 5 OF 2026

Appeal under Clause 15 of Letters Patent Appeal aggrieved by the order dated 24.04.2026 passed in I.A. No. 2 of 2026 in C.C.No.2761 of 2023 in W.P.No.3454 of 2018 on the file of the High Court.

Between:

Sri K. Rama Krishna Rao, IAS, The State of Telangana Principal Secretary Finance and Planning HRM-1 Department, Secretariat, Hyderabad.

...Appellant/Respondent

AND

1. Smt B Annapurna, W/o Pantulaiah, aged about 51 years Part Time Sweeper, O/o. Executive Engineer I B Division. Suryapeta Irrigation. Circle now working in the O/o Executive Engineer Irrigation Division, Kodad, Suryapet District.
2. A Nagamma, W/o. Ramulu, aged about 54 years, Part Time Sweeper, O/o Superintending Engineer I B Division Bhonger erstwhile Nalgonda District now working in the O/o Superintending Engineer Irrigation Circle Suryapet, Suryapet District. **...Respondents/Petitioners**
3. Sri N.Shiva Dharmateja, Superintending Engineer, Irrigation Circle, Suryapet District, formerly Nalgonda District.
4. G.Anil Kumar, Engineering Chief Admn. Irrigation and CAD Department, Errammanzil, Hyderabad.
5. Rahul Bojja, I.A.S, Principal Secretary to the State of Telangana I and CAD Department,Secretariat, Hyderabad. **...Respondents/Respondents**

(Respondents/Respondents No. 3 to 5 are not necessary parties to this Appeal)

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 stay of all further proceedings pursuant to the impugned order in IA. No. 2 of 2026 dated 24.04.2026 passed in C.C. No. 2761 of 2023, including issuance of Non-Bailable Warrants against the appellant.

Counsel for the Appellant : Sri A. Sudarshan Reddy Advocate General
along with
Sri S. Suman, Government Pleader for Services-III

Counsel for the Respondent Nos. 1 & 2 : Sri. S. Ajay Kumar representing
Sri M. Keshava Rao, Advocate

The Court delivered the following:

THE HONOURABLE SRI JUSTICE P.SAM KOSHY
AND
THE HONOURABLE SRI JUSTICE NARSING RAO NANDIKONDA

L.P.A No.5 of 2026

Date:27.04.2026

Between:
Mr.K.Rama Krishna Rao, IAS
The State of Telangana Principal Secretary.
Finance and Planning HRM-1 Department,
Secretariat, Hyderabad.

... Appellant

And

Smt.B.Annapurna W/o.Pantulaiah,
Kodad, Suryapet District and others.

...Respondents

JUDGMENT: *(per Hon'ble Sri Justice P.Sam Koshy)*

Heard Mr.A.Sudarshan Reddy, learned Advocate General along with Mr.S.Suman, learned Government Pleader for Services-III, appears for the appellant and Mr.S.Ajay Kumar, learned counsel appears on behalf of Mr.M.Keshava Rao, learned counsel for respondent No.1 and 2 and perused the record.

2. The instant is the Letters Patent Appeal (L.P.A.) which has been filed aggrieved of the order of learned contempt Court in C.C. No.2761 of 2023 dated 24.04.2026 while deciding I.A.No.2 of 2026.

3. The contempt petition filed before the learned Single Bench is one which is arising out of WP.No.3454 of 2018 decided on 30.01.2023. In the midst of the proceedings in the contempt case, there was an order for presence of appellant-contemnor before the contempt Court. However, on the date, when the matter fixed on 23.04.2026, the appellant-contemnor moved I.A.No.1 of 2026 seeking for dispensation of his appearance. The said dispense with petition stood dismissed on 23.04.2026. Thereafter, the matter was posted on 24.04.2026. On 24.04.2026 also, the appellant-contemnor failed to appear and filed I.A.No.2 of 2026 seeking dispensation of his presence, as the appellant, who is presently occupying the chair of the Chief Secretary for the State of Telangana, was in the midst of the Cabinet Sub-Committee meeting and that meeting was going on 23.04.2026 and 24.04.2026, which made it not possible for the appellant-contemnor to appear before the Court and sought for dispensing of his presence. It was at this juncture, the learned Single Bench feeling offended of the repetition of non-appearance of appellant-contemnor before the contempt Court ordered for issuance of Non-Bailable Warrants (NBWs) seeking his presence before the Court.

4. House Motion was moved yesterday for taking-up the matter in the light of NBWs being issued and this Bench held sitting yesterday and listed the matter today, by suspending the execution of the order of learned Single Bench passed on 24.04.2026.

5. Considering the fact that the present L.P.A has been preferred only being aggrieved by the order insofar as issuance of NBWs, this Bench would be confined to test the veracity of the order, dated 24.04.2026, which is under challenge in the present L.P.A. Though, the learned Advocate General emphasized before the Bench that firstly the order passed by the Bench in the writ petition has been duly complied with and secondly, the appellant-contemnor in the present case was the Finance Secretary then and he has been made contemnor in the capacity of Finance Secretary, to which post he has demitted quite some time back i.e. on 30.04.2025 itself and since there is some other incumbent occupying the post of Principal Secretary, Finance Department, and therefore, the learned contempt Court should have exonerated the present appellant and should have pursued the matter against the present Secretary, if at, all there is any contempt and there is compliance still to be done.

6. As has been discussed earlier, since this Bench is seized of in the present appeal, only insofar as the issuance of NBWs is concerned, it would not be justified at this juncture for this Bench to go into the contentions raised by the learned Advocate General, which we leave it for the appellant-contemnor to raise them before the concerned Bench seized of the contempt case itself. So far as the issuance of NBWs is concerned, since we have already suspended the operation of the same, at this juncture, we are of the considered opinion that the subject to the appellant-contemnor appearing before the concerned Bench on 29.04.2026 and represent before the Bench in accordance with law, the impugned order dated 24.04.2026 shall stand set aside. We also make it clear that the appellant-contemnor would be at liberty to raise all his defenses before the concerned contempt Court, so far as his contention/explanation to the Bench insomuch as due compliance having been made, so far as the order in the writ petition is concerned i.e. order passed in WP.No.3454 of 2018 decided on 30.01.2023.

7. In view of the aforesaid discussion, the impugned order, dated 24.04.2026, passed by the learned Single Bench in I.A.No.2 of 2026 in C.C.No.2761 of 2023 is hereby set aside.

8. Accordingly, the Letters Patent Appeal stands allowed. No order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- C.V. MALLIKARJUNA VARMA
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

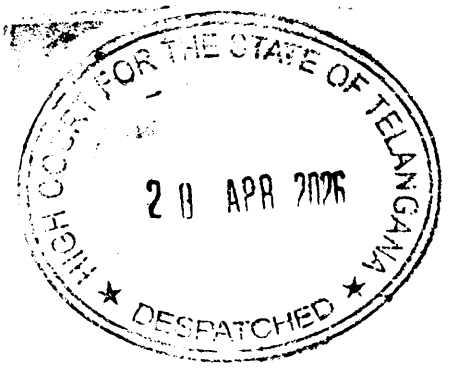
1. Sri K. Rama Krishna Rao, IAS, Principal Secretary, Finance and Planning HRM-1 Department, State of Telangana, Secretariat, Hyderabad. (**By Special Messenger**)
2. The Director General of Police, State of Telangana at Hyderabad. (**By Special Messenger**)
3. Two CCs to the Advocate General, High Court for the State of Telangana, at Hyderabad (OUT)
4. Two CCs to the GP for Services III, High Court for the State of Telangana, at Hyderabad (OUT)
5. The Registrar (Judicial-I), High Court for the State of Telangana, at Hyderabad. (**By Special Messenger**)
6. The Section Officer, O.S. Section, High Court for the State of Telangana at Hyderabad.
7. The Section Officer, Posting Section, High Court for the State of Telangana at Hyderabad
8. One CC to Mr. M. Keshava Rao, Advocate (OPUC)
9. Two CD Copies

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HIGH COURT

PSK, J
&
NNR, J

DATED: 27/04/2026



JUDGMENT

LPA.No.5 of 2026

ALLOWING THE L.P.A.

11 MT 28/4/26