IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE TWENTY SEVENTH DAY OF OCTOBER TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

CONTEMPT CASE NO: 2584 OF 2023

Contempt Case filed under Sections 10 to 12 of Contempt of Courts Act, 1971 to punish the respondents for wilfully, intentionally, deliberately, disobeying and violating the Orders of the High Court dated 09.11.2023 passed in W.P.No.31181 of 2023.

Between:

1. A. Shekhar Babu, S/o A. Murli Krishna Aged About 47 years, Occ: Business R/o Flat No.401, Lotus Abhaya, Plot No.548. Phase VI KPHB Colony, Kukatpally, Hyderabad
2. A. Ravindra Babu, S/o A. Murli Krishna Aged About 49 years, Occ: Business R/o Lotus Enclave, Plot No.614 and 615, Phase VI, KPHB Colony, Kukatpally, Hyderabad
3. A Vishwa Murthy, S/o Late A. Ramadas Aged about 68 years, Occ: Service R/o Plot No.680, Vivekananda Nagar Colony, Kukatpally, Hyderabad
4. A. Mohan Rao, S/o Late A. Ramdas Aged about 66 years, Occ: Service R/o Flat No.S-1, Plot No.582, Vivekananda Nagar Colony, Kukatpally, Hyderabad
5. M. Appa Rao, S/o M. Venkataratnam aged about 62 years, Occ: Business R/o Flat No.201, Lotus Aditya, Plot No.538 and 544, Kukatpally, Hyderabad
6. Smt. M Seeta Devi, W/o M. Uma Maheswara Rao Aged about 59 years, Occ: Business R/o Flat No.401, Lotus Aitya Plot Nos.538 and 544 Phase IV, KPHB Colony, Kukatpally, Hyderabad
7. M.N. Venkateshwara Rao, S/o M. Subba Rao Aged 57 years Occ: Business R/o Flat No.302, Shanti Apartments, Bhagya Nagar Colony, Kukatpally, Hyderabad
8. B. Parameswra Rao, S/o B. Krishna Rao Aged about 57 years, Occ: Business R/o Plot No.454, Vivekananda Nagar Colony, Kukatpally, Hyderabad

...Appellant

AND

Mr. M. Prem Kumar, Circle Inspector of Police, Miyapur Police Station, Ranga Reddy District, Telangana State

...Respondent

Counsel for the Petitioners: SRI M A K MUKHEED

Counsel for the Respondent: SRI MOHD. IMRAN KHAN,
ADDITIONAL ADVOCATE GENERAL

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.BHASKAR REDDY

CONTEMPT CASE No.2584 of 2023
(CNR No.HBHC010595222023)

DATE: 27.10.2026

Reserved on: 19.08.2026 **Pronounced on: 27.10.2026**

Uploaded on: 27.10.2026

Between:

A.Shekhar Babu and Seven others.

.....Petitioners

AND

Mr.M.Prem Kumar
Circle Inspector of Police, Miyapur Police Station,
Ranga Reddy District, Telangana

...Respondent/Contemnor

ORDER

This Contempt Case is filed by the petitioner under Sections 10 to 12 of the Contempt of Courts Act, 1971 (for short, "the Act, 1971"), alleging willful and deliberate disobedience of the order dated 09.11.2023 passed by this Court in W.P.No.31181 of 2023.

2. In W.P.No.31181 of 2023, this Court passed the following interim order on 09.11.2023:

"Notice before admission.

Learned Assistant Government Pleader for Home takes notice for respondent Nos. L to 4 and seeks time to get instructions.

Learned counsel for the petitioners is permitted to take out personal notice to respondent Nos.5 to 7 by Registered Post with Acknowledgment Due and file proof of service before the next date of listing.

The case of the petitioners is that they are absolute owners and possessors of Gokul Plot Nos.62, 63,73 and 74 altogether 700 square yards in Sy.No.78 Part situated at Hafeezpet Village, Serilingampally Mandal, Ranga Reddy District, having purchased the same through registered sale deed bearing document No.1919 of 2009, dated 13.03.2009. It is the further case of the petitioners that when the disputes arose over the said property, they were constrained to institute a suit vide O.S.No.1285 of 2009 on the file of the VIII Additional Senior Civil Judge, Ranga Reddy and after contest, the said suit was decreed in favour of the petitioners and the said judgment has not been suspended by any appellate Court and the same is in force as on today. It is the further case of the petitioners that when respondent Nos.5 to 7 are interfering with their peaceful possession even after a decree, they were constrained to file W.P.No.17228 of 2019 and this Court has granted interim orders in I.A.No.1 of 2019, "directing respondent No.4-the Station House Officer, Miyapur Police Station to provide police aid to the petitioners against respondent Nos.5 to 7 and their henchmen for implementation of permanent injunction order granted in O.S.No.1285 of 2009." The grievance of the petitioners is that even after receipt of the orders of this Court in W.P.No.17228 of 2019, respondent No.4 in active connivance with respondent Nos.5 to 7, is making efforts to dispossess them from the subject property, which action on the part of respondent No.4 not only amounts to violation of the Court order and also amounts to interference of administration of justice.

In the said circumstances, respondent No.4-the Station House Officer, Miyapur Police Station, Ranga Reddy District, shall appear before this Court on the next date of hearing and explain the reasons for not providing the police aid to the petitioners as per the directions issued by this Court in I.A No.1 of 2019 in W.P.No.17228 of 2019, dated 20.08.2019.

List on 07.12.2023."

3. Mr.M.A.K. Mukheed, learned counsel appearing for the petitioners submitted that the petitioners are the absolute owners and possessors of Gokul Plot Nos.62, 63, 73 and 74, admeasuring a total extent of 700 square yards in Sy.No.78 (part), situated at Hafeezpet Village, Serilingampally Mandal, Ranga Reddy District, having purchased the same under registered sale deed bearing Document No.1919 of 2009, dated 13.03.2009. He submitted that the petitioners instituted O.S.No.1285 of 2009 and obtained a decree of permanent injunction on 21.10.2013, which was affirmed in A.S.No.322 of 2013, *vide* judgment dated 24.06.2019. He further submitted that the application seeking suspension of the decree in S.A.No.348 of 2019 was dismissed by this Court on 03.12.2019. Learned counsel further submitted that, despite the decree of permanent injunction, D. Srinivas Rao and others continued to interfere with the petitioners' peaceful possession and enjoyment of the subject property, compelling them to approach this Court by filing W.P.No.17228 of 2019. This Court, *vide* order dated 20.08.2019 in I.A.No.1 of 2019, directed the Station House Officer, Miyapur Police Station, to provide police aid for implementation of the decree of permanent injunction. However, the police authorities failed to provide effective assistance in terms of the said order and, instead, allegedly facilitated the interference of D. Srinivas Rao and others with the subject property. Learned counsel also submitted that when the petitioners lodged a complaint on 07.11.2023 regarding the continued

construction activity over the subject property, the respondent failed to take effective action, compelling the petitioners to institute W.P.No.31181 of 2023. This Court, *vide* order dated 09.11.2023, directed the Station House Officer, Miyapur Police Station, to appear and explain the reasons for not providing police aid in terms of the earlier order dated 20.08.2019. It is further submitted that notwithstanding the aforesaid orders and the notice dated 13.11.2023 issued to the respondent, the respondent failed to take effective steps to protect the petitioners' property and permitted the construction activity of D. Srinivas Rao and others to continue. Learned counsel contended that the conduct of the respondent demonstrates wilful and deliberate disobedience of the orders of this Court and interference with the administration of justice. He, therefore, prayed that the respondent be held guilty of contempt and punished in accordance with law.

4. Per contra, Sri Mohd. Imran Khan, learned Additional Advocate General appearing for the respondent, relying upon the counter-affidavit filed by the respondent, submitted that the allegations made against the respondent are false and that there is no wilful disobedience of the orders of this Court. It is further submitted that the respondent was not the Station House Officer of Miyapur Police Station when the order dated 20.08.2019 was passed in W.P.No.17228 of 2019. Sri S.Venkatesh worked as the Station House Officer from 10.09.2018 to 06.12.2021, followed by Sri N. Tirupathi Rao from 06.12.2021 to

26.06.2023, whereas the respondent assumed charge on 13.07.2023. Therefore, the respondent had no prior knowledge of the earlier order directing provision of police aid. It is further submitted that the respondent neither extended police assistance to D. Srinivas Rao and others nor encouraged them to interfere with the petitioners' possession. Upon physical verification of the subject property, the respondent noticed that there was no room or compound wall on the land and that the property was covered with blue-coloured galvanised sheets. It is further submitted that when the petitioners approached the respondent on 07.11.2023 and brought the earlier order to his notice, the respondent was occupied with election duty. However, on 09.11.2023, the respondent visited the subject property along with his staff and the petitioners, noticed that construction activity was in progress and instructed the persons present at the site to stop the work. He further submitted that the respondent appeared before this Court on 07.12.2023 in connection with W.P.No.31181 of 2023 and explained the circumstances relating to the dispute. It is contended that the respondent had not encouraged or assisted the alleged construction activity and that the allegations of wilful disobedience were unfounded. He also submitted that the respondent had tendered an unconditional apology to this Court for any inadvertent failure on his part to comply with its directions, while reiterating that he had no intention to disobey

the orders of this Court. He, therefore, requested this Court to accept the unconditional apology and close the Contempt Case.

5. Having considered the rival submissions and perused the material on record, the question that arises for consideration is whether the respondent has wilfully and deliberately disobeyed the orders of this Court so as to attract the provisions of the Act, 1971 and, if so, whether the unconditional apology tendered by him deserves to be accepted.

6. The material on record discloses that the petitioners purchased the subject property under registered sale deed bearing Document No.1919 of 2009, dated 13.03.2009. They instituted a suit *vide* O.S.No.1285 of 2009 and obtained a decree of permanent injunction on 21.10.2013. The said decree was affirmed in A.S.No.322 of 2013, which was dismissed on 24.06.2019. The application filed seeking suspension of the decree in S.A.No.348 of 2019 was dismissed by this Court on 03.12.2019. Thereafter, when the petitioners complained of interference with their possession, this Court, *vide* order dated 20.08.2019 in I.A.No.1 of 2019 in W.P.No.17228 of 2019, directed the Station House Officer, Miyapur Police Station, to provide police aid for implementation of the decree of permanent injunction. The petitioners subsequently approached this Court in W.P.No.31181 of 2023, alleging that the police authorities had failed to provide the required assistance despite their complaint dated 07.11.2023. Upon considering the grievance raised by

the petitioners, this Court, *vide* order dated 09.11.2023, specifically directed the Station House Officer, Miyapur Police Station, to appear and explain the reasons for not providing police aid in terms of the earlier order dated 20.08.2019. The direction was issued after taking note of the history of the dispute and the petitioners' grievance regarding the alleged failure of the police authorities to protect their possession. The respondent, in his counter-affidavit dated 04.03.2024, admitted that the petitioners approached him on 07.11.2023 and informed him about the order dated 20.08.2019. He sought to explain his failure to provide immediate assistance by stating that he was occupied with election duty on that day. He further stated that he visited the subject property along with his staff and the petitioners on 09.11.2023 and instructed the persons present at the site to stop the construction activity. The respondent also stated that he had no knowledge of the earlier order until it was brought to his notice by the petitioners. However, the absence of prior knowledge of an order cannot justify inaction after the order has been brought to the notice of the officer concerned. Once the respondent was informed of the subsisting direction for providing police aid, it was incumbent upon him to examine the order and take appropriate steps in accordance with law to ensure its implementation. The respondent's own counter-affidavit establishes that he was aware of the earlier order on 07.11.2023. The subsequent direction issued by this Court on 09.11.2023 also required

him to explain the failure to provide police aid. The respondent's explanation that he visited the property and stopped the construction activity is required to be considered in the light of the nature of the earlier direction and the material placed before this Court. A mere assertion of having visited the site would not establish compliance with a direction to provide effective police aid for implementation of a subsisting decree of permanent injunction. The petitioners, on the other hand, consistently complained of continued interference with their possession and failure of the police authorities to provide effective protection. The notice dated 13.11.2023 issued to the respondent also indicates that the petitioners continued to seek implementation of the orders of this Court. The respondent's explanation must, therefore, be assessed not merely on the basis of his assertion that he visited the property, but also with reference to whether effective steps were taken to implement the directions brought to his notice.

7. In the circumstances, the respondent cannot avoid responsibility merely by referring to the pendency of the second appeal or by asserting that the dispute between the parties had continued for several years. The pendency of proceedings before a competent Court does not authorise a police officer to disregard a subsisting judicial direction. The respondent was required to act in accordance with the orders in force and could not substitute his own assessment of the dispute for the directions issued by this Court.

8. It is well settled that the jurisdiction of this Court under the Contempt of Courts Act, 1971, is intended to uphold the majesty of law and ensure compliance with the orders passed by this Court. A public officer, entrusted with the responsibility of implementing judicial directions, is under an obligation to ensure that such directions are complied with in letter and spirit. Any deliberate failure to discharge such obligation undermines the authority of the Court and interferes with the administration of justice. In the present case, the petitioners obtained a decree of permanent injunction in O.S.No.1285 of 2009, which was affirmed in A.S.No.322 of 2013. The application seeking suspension of the decree in S.A.No.348 of 2019 was dismissed by this Court on 03.12.2019. Thereafter, this Court, *vide* order dated 20.08.2019 in I.A.No.1 of 2019 in W.P.No.17228 of 2019, directed the Station House Officer, Miyapur Police Station, to provide police aid for implementation of the decree of permanent injunction. Despite the subsistence of the said order, the petitioners were constrained to approach this Court once again by filing W.P.No.31181 of 2023, complaining of continued interference with their possession and failure of the police authorities to provide effective assistance. This Court, upon considering the circumstances and the history of the dispute, passed order dated 09.11.2023, directing the Station House Officer, Miyapur Police Station, to appear before this Court and explain the reasons for failure to provide police aid in terms of the earlier order. The

respondent, who had assumed charge on 13.07.2023, admitted in his counter-affidavit that the petitioners brought the earlier order to his notice on 07.11.2023. Thus, from the date on which the order was brought to his notice, the respondent was fully aware of the subsisting judicial direction and was required to take effective steps to ensure its implementation. The explanation offered by the respondent that he was occupied with election duty on 07.11.2023 and subsequently visited the subject property on 09.11.2023 does not absolve him of his obligation to comply with the orders of this Court. His conduct has to be considered in the context of the continuing grievance of the petitioners, the subsisting decree of permanent injunction and the specific directions issued by this Court. The respondent, being a responsible police officer, was expected to act promptly and effectively to ensure compliance with the judicial directions and to prevent interference with the petitioners' possession.

9. Upon careful consideration of the material on record, the submissions of learned counsel and the explanation offered by the respondent, this Court holds that the respondent has wilfully and deliberately disobeyed the orders of this Court, thereby committing civil contempt under the Act, 1971.

10. Though the respondent has tendered an unconditional apology, having regard to his conduct, failure to provide effective police aid

despite the directions of this Court and the repeated approaches made by the petitioners, this Court is not inclined to accept the apology. As a police officer, the respondent was duty-bound to ensure compliance with the orders of this Court, and his wilful disobedience warrants appropriate punishment to uphold the authority of judicial orders.

11. Having regard to the nature and gravity of the disobedience and the circumstances of the case, this Court is of the considered view that a sentence of simple imprisonment coupled with a fine would meet the ends of justice.

12. In the result, this Contempt Case is allowed. The respondent is found guilty of civil contempt and is sentenced to undergo simple imprisonment for a period of four (04) weeks and to pay a fine of Rs.2,000/- (Rupees Two Thousand only). In default of payment of fine, he shall undergo simple imprisonment for a further period of two (02) weeks. Having regard to the remedy available under Section 19 of the Act, 1971, the sentence imposed upon the respondent shall remain suspended for a period of two (02) weeks from the date of this order. Upon expiry of the said period, if no order suspending the sentence is obtained from the competent Court, the respondent shall surrender before the Registrar (Judicial-I) of this Court to undergo the sentence imposed upon him. In the event of his failure to surrender, the Registrar

(Judicial-I) shall take steps in accordance with law to give effect to the sentence.

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

SD/- N. SRIHARI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri M A K Mukheed, Advocate [OPUC]
2. Two CCs to Advocate General, High Court for the State of Telangana at Hyderabad [OUT]
3. Two CD Copies

ABK /GNK

HIGH COURT

DATED: 27/10/2026



ORDER

CC.No.2584 of 2023

ALLOWING THE CONTEMPT CASE

(6)

29/10/26