IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE TWENTY NINTH DAY OF OCTOBER TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE P.SAM KOSHY AND THE HONOURABLE SRI JUSTICE SUDDALA CHALAPATHI RAO

WRIT APPEAL NO: 1185 OF 2026

Writ Appeal under clause 15 of the Letters Patent preferred against the Order Dated 01-10-2026 in W.P.No.33255 of 2026 on the file of the High Court.

Between:

1. Saireddy Hariprasad Reddy, S/o. Malla Reddy, Aged 36 years, Occ Private Employee,
2. Saireddy Nithin Reddy, S/o Madhava Reddy, Aged 33 years, Occ Private Employee,

Both are R/o H.No.3-63, Kanchanapally village, Valigonda Mandal, Yadadri-Bhuvanagiri District.

...APPELLANTS/THIRD PARTIES

AND

1. Moku Swapna, W/o. Jagadeeshwar Reddy, Aged about 39 years, Occ Agriculture, R/o. TRT 185, Shivam Road, Vidya Nagar, Hyderabad.

...RESPONDENT No.1/WRIT PETITIONER

2. State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat Buildings, Saifabad, Hyderabad
3. The Superintendent of Police, Yadadri-Bhuvanagiri District.
4. The Deputy Superintendent of Police, Choutuppal, Yadadri-Bhuvanagiri District.
5. The Station House Officer, Valigonda Police Station, Valigonda Mandal, Yadadri-Bhuvanagiri District
6. Saireddy Malla Reddy, S/o. Narayana Reddy, Aged about 57 years, Occ Agriculture, R/o Kanchanapally Village, Valigonda Mandal, Yadadri-Bhongir District.

7. Saireddy Madhava Reddy, S/o. Narayana Reddy, Aged 53 years, Occ Agriculture, R/o Kanchanapally Village, Valigonda Mandal, Yadadri-Bhongir District.
8. Saireddy Sathi Reddy, S/o. Narayana Reddy, Aged about 57 years, Occ Agriculture, R/o Kanchanapally Village, Valigonda Mandal, Yadadri-Bhongir District.

(Respondents No.6 to 8 herein are not necessary parties)

I.A. NO: 3 OF 2026 ...**RESPONDENTS**

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 suspend the Order in W.P.No.33255 of 2026, dated 01-10-2026, pending disposal of the main writ appeal.

Counsel for the Appellant: SRI PAPAIAH PEDDAKULA

Counsel for the Respondent No.1: SRI VIVEK JAIN, Sr. COUNSEL, REP. SRI B.DEVRATH REDDY

Counsel for the Respondent No.2 to 5: SRI MAHESH RAJE, GP FOR HOME

The Court delivered the following: JUDGMENT

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE THE ACTING CHIEF JUSTICE P.SAM KOSHY
AND
THE HONOURABLE SRI JUSTICE SUDDALA CHALAPATHI RAO

WRIT APPEAL No.1185 of 2026
(CNR No.HBHC010744362026)

29.10.2026

Between:
Mr.Saireddy Hariprasad Reddy and another

...Appellants

AND

Smt.Moku Swapna and others.

...Respondents

JUDGMENT:(*per the Hon'ble the Acting Chief Justice P.Sam Koshy*)

Heard Mr.Papaiah Peddakula, learned counsel for the appellants; Mr.Vivek Jain, learned Senior Counsel appearing for Mr.B.Devrath Reddy, learned counsel for respondent No.1 and Mr.Mahesh Raje, learned Government Pleader for Home, for respondent Nos.2 to 5. Perused the record.

2. The instant is the appeal which has been filed assailing the order dated 01.10.2026 passed in WP.No.33255 of 2026 by the learned Single Bench.

3. The relevant portion of the order against which the appeal has been passed is as under:

> " ...In view of the above submissions, this Court directs the petitioner to furnish the necessary details, along with the relevant documents, to the respondent police in support of her case within a period of one (1) week from today. Upon receipt of the same, the respondent police shall conduct an enquiry as to whether the perpetual injunction granted in respect of the subject property is still subsisting or whether the same has been set aside by the appellate Court. If the injunction is still subsisting, the respondent police shall provide police protection to the petitioner, after issuing notice to respondent Nos.5 to 7, within a period of two (2) weeks thereafter."

4. Learned counsel appearing for the appellants contends that such a direction ought not to have been issued by the learned Single Judge at the first instance and secondly, the writ petition itself should not have been entertained, rather, the respondents ought to have been relegated to the competent trial Court for seeking the relief sought for.

5. However, so far as the query put to learned counsel for the appellants, as regards whether the injunction orders are still subsisting or not, it was not in dispute that respondent No.1-writ petitioner did have the decree of injunction in her favour from O.S.No.112 of 2021 *vide* judgment and decree, dated 31.03.2026, on the file of Principal Junior Civil Judge, Ramannapet. Though, the parents of the appellants herein have preferred an appeal against the said judgment and decree, but, they have not been able to obtain interim protection, insofar as the operation of the judgment and decree is concerned. Therefore, as long as there is no interim stay operating against the aforesaid judgment and decree, the same is enforceable under law. As regards the contention of the appellants that the writ petition is not maintainable, the said argument is not sustainable for the reason that there are judgments of this High Court itself, which permits the writ petitions being filed against the final judgment and decree passed by the trial Courts.

6. Today, when the matter is taken-up for hearing, learned Government Pleader for Home, also informed that pursuant to the order, dated 01.10.2026,

passed in WP.No.33255 of 2026, police protection has also been granted to the decree-holder, who is respondent No.1 herein. Once, such police protection has been ordered, it is presumed that the learned Single Bench was convinced of the fact that a case for grant of police protection has been made out, particularly, when injunction order is subsisting in favour of respondent No.1-writ petitioner. Therefore, we are of the considered opinion that the observations made in paragraph No.5 of the impugned order to the extent of directing the police to conduct enquiry part is uncalled for. Accordingly, the said direction to that extent is hereby set aside. Nonetheless, if the injunction order is vacated, modified or stayed by the competent appellate forum, the police authorities, upon production of such order before them, shall take appropriate steps in accordance with law.

7. With the aforesaid modification in the impugned order dated 01.10.2026 passed in WP.No.33255 of 2026 by the learned Single Bench, the Writ Appeal stands disposed of. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

SD/-MOHD ISMAIL
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Home Department, Secretariat Buildings, Saifabad, Hyderabad, State of Telangana.
2. The Superintendent of Police, Yadadri-Bhuvanagiri District.
3. The Deputy Superintendent of Police, Choutuppal, Yadadri-Bhuvanagiri District.
4. The Station House Officer, Valigonda Police Station, Valigonda Mandal, Yadadri-Bhuvanagiri District
5. *One CC to SRI PAPAIAH PEDDAKULA, Advocate [OPUC]*
6. *One CC to SRI B.DEVRATH REDDY, Advocate [OPUC]*

PTO

7. Two CCs to GP FOR HOME, High Court for the State of Telangana at Hyderabad [OUT]
8. Two CD Copies

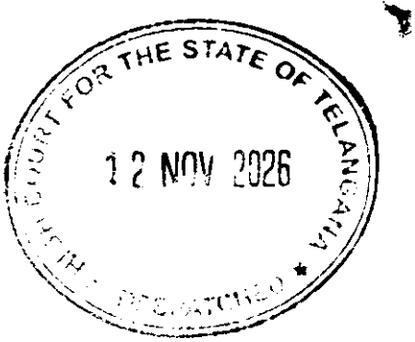
BSR
ms
PMC

HIGH COURT

DATED: 29/10/2026

JUDGMENT

WA.No.1185 of 2026



DISPOSING OF THE WRIT APPEAL,

WITHOUT COSTS

11 PMG
5/11/26.