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

TUESDAY, THE THIRD DAY OF NOVEMBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

WRIT PETITION NO: 37135 OF 2026

Between:

Kotte Vani @ Sumalatha, W/o. Thirupathi, Aged 41 years, Occ. Household, R/o. H.No.2-35/2, Karnamamidi, Mancherial Mandal, Adilabad District.

...PETITIONER

AND

1. The State of Telangana, rep. by its Secretary, Department of Tribal Welfare, Secretariat, Hyderabad.
2. The District Collector, Mancherial District.
3. The Tahsildar, Thandur Mandal, Mancherial District.
4. The Superintending Engineer, Tribal Welfare, Warangal District.
5. Executive Engineer, Tribal Welfare Engineering Department, ITDA, Utnoor.

...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 order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent No. 3 to 5 in proposing to lay road through the petitioner's land in Sy.No.611 to an extent of 6 acres 24 guntas of Achalapur Village, Thandur Mandal, Mancherial District, without issuing any notice or following any procedure as contemplated under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, as illegal, arbitrary, against the principles of natural justice and against Article 300-A of Constitution of India and consequently direct the respondent No.2 to 5 restrain from

laying road through petitioner's land in Sy.No.611 to an extent of 6 acres 24 guntas of Achalapur Village, Thandur Mandal, Mancherial District.

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 laying of road through the petitioner's land in Sy.No.611 to an extent of 6 acres 24 guntas of Achalapur Village. Thandur Mandal, Mancherial District, pending disposal of the writ petition.

Counsel for the Petitioner: SRI K.JAGADISHWAR REDDY, REP.
SRI B.NAGESHWAR RAO

Counsel for the Respondents: SRI S.YOGESH, AGP FOR REVENUE

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SMT. JUSTICE JUVVADI SRIDEVI

WRIT PETITION No.37135 of 2026
(CNR No. HBHC010762772026)

DATED: 03RD NOVEMBER, 2026

Between:

Kotte Vani @ Sumalatha ...Petitioner

AND

The State of Telangana and others ...Respondents

O R D E R:

This Writ Petition is filed by the petitioner seeking the following relief:

> *"to issue a order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent No 3 to 5 in proposing to lay road through the petitioners land in Sy No 611 to an extent of 6 acres 24 guntas of Achalapur Village Thandur Mandal Mancherial District without issuing any notice or following any procedure as contemplated under the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act 2013 as illegal arbitrary against the principles of natural justice and against Article 300A of Constitution of India and consequently direct the respondent No 2 to 5 restrain from laying road through petitioners land in Sy No 611 to an extent of 6 acres 24 guntas of Achalapur Village Thandur Mandal Mancherial District and pass"*

02. Heard Sri K. Jagadishwar Reddy, learned counsel for the petitioner and Sri S. Yogesh, learned Assistant Government Pleader for Revenue, and perused the material available on record.

03.1. Learned counsel for the petitioner submitted that the petitioner is the owner, pattadar and possessor of land admeasuring Ac.6-24 guntas in Survey No.611 of Achalapur Village, Thandur Mandal, Mancherial District, and that the petitioner's name is duly recorded in the revenue records. It is contended that the respondent authorities, without initiating any land acquisition proceedings or issuing notice to the petitioner, have interfered with the petitioner's possession and enjoyment of the subject land by removing the existing cotton crop for the purpose of laying a road.

03.2. It is further contended that the action of the respondent authorities in proposing to lay a road through the petitioner's private land, without following the procedure contemplated under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and

Resettlement Act, 2013, is arbitrary, illegal and violative of Article 300-A of the Constitution of India. Learned counsel for the petitioner, placing reliance upon the judgment of the Hon'ble Supreme Court in *Sukh Dutt Ratra and Another v. State of Himachal Pradesh*[1], submitted that the State cannot dispossess a citizen from private property without the sanction of law. Accordingly, learned counsel seeks appropriate directions restraining the respondent authorities from interfering with the petitioner's property without following due process of law.

04.1. On the other hand, learned Assistant Government Pleader for Social Welfare, on written instructions, submitted that the proposed road work is sanctioned vide G.O.Rt.No.240, dated 30.08.2025, for providing a BT road from Kommagudem Village of Achalapur, Thandur Mandal, to the Tekulapally R&B Road of Kannepally Mandal, Mancherial District. It is further submitted that the Executive Engineer, Tribal Welfare Engineering Division, Utnoor, has furnished a report dated 02.11.2026, wherein it is categorically stated that no road work has been taken up in the

[1] *(2022) 7 SCC 508*

petitioner's land admeasuring Ac.6-24 guntas in Survey No.611 of Achalapur Village, Thandur Mandal, Mancherial District.

04.2. Learned Assistant Government Pleader further submitted that the proposed road work, insofar as it passes through the petitioner's land, would be considered for execution only after obtaining the willingness and consent of the concerned landowner. It is also submitted that the department is exploring alternative alignments for laying the proposed road without affecting the petitioner's land. In view of the said report, learned Assistant Government Pleader submitted that the respondents are not proceeding with the road work through the petitioner's land at present.

05. Having considered the submissions made by the learned counsel appearing on either side and the material available on record, it is evident that the petitioner claims to be owner, pattadar and possessor of the subject land, which is stated to be duly reflected in the revenue records. The grievance of the petitioner is that the respondent authorities are proposing to lay a road through the subject land without initiating any land

acquisition proceedings, issuing notice to the petitioner or paying compensation.

06. It is pertinent to note that the report dated 02.11.2026, furnished by the Executive Engineer, Tribal Welfare Engineering Division, Utnoor, indicates that no road work has been undertaken in the petitioner's land. The said report further states that the proposed road work through the petitioner's land would be taken up only after obtaining the willingness and consent of the concerned landowner and that alternative alignments are being explored to avoid any interference with the petitioner's land.

07. Having regard to the aforesaid facts and circumstances of the case and the stand taken by the respondent authorities, this Court is of the considered view that the grievance of the petitioner can be adequately addressed by directing the respondent authorities not to interfere with the petitioner's possession and enjoyment of the subject land, except in accordance with due process of law.

08. Accordingly, the Writ Petition is disposed of with the above direction. There shall be no order as to costs.

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

Sd/-P.PONNA KRISHNA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Secretary, Department of Tribal Welfare, Secretariat, Hyderabad, State of Telangana.
2. The District Collector, Mancherial District.
3. The Tahsildar, Thandur Mandal, Mancherial District.
4. The Superintending Engineer, Tribal Welfare, Warangal District.
5. The Executive Engineer, Tribal Welfare Engineering Department, ITDA, Utnoor.
6. One CC to SRI B.NAGESHWAR RAO, Advocate [OPUC]
7. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad [OUT]
8. Two CD Copies

BSR
PMK

CC TODAY

HIGH COURT

DATED: 03/11/2026

ORDER

WP.No.37135 of 2026



DISPOSING OF THE WRIT PETITION,

WITHOUT COSTS

(11)

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