

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

WEDNESDAY, THE ELEVENTH DAY OF MARCH ✓
TWO THOUSAND AND TWENTY SIX ✓

:PRESENT:

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO ✓

WRIT PETITION NO: 7373 OF 2026

Between:

1. Sirisani Rambai @ Dara Rambai, D/o. Sanyasi @ Jakraiah.
2. Sirisani Rambabu, S/o. Sanyasi @ Jakraiah.
3. Sirisani Ashok, S/o. Sanyasi @ Jakraiah.
4. Sirisani Venkat Rao, S/o. Sanyasi.
5. Sirisani Rani @ Satunuri Rani, D/o. Sanyasi @ Jakraiah.

Petitioners

AND

1. The State of Telangana, Rep. by its Principal Secretary, Department of Home, Secretariat Buildings, Saifabad, Hyderabad.
2. The State of Telangana, Rep. by its Principal Secretary, Department of Revenue, Secretariat Buildings, Saifabad, Hyderabad.
3. The Superintendent of Police, Badradri-Kothagudem District.
4. The Deputy Superintendent of Police, Palwancha, Badradri-Kothagudem District.
5. The Station House Officer, Dammapeta Police Station, Badradri-Kothagudem District.
6. The District Collector, Badradri-Kothagudem District.
7. The Revenue Divisional Officer, Palwancha Revenue Division, Badradri-Kothagudem District.
8. The Tahsildar, Dammamet Mandal, Badradri-Kothagudem District.
9. Beeravalli Chittemma, W/o. Titupati, Age. 65 years, Occ. Housewife, R/o. Ayyagaripeta, Maruthi Nagar, Sathupally Mandal, Khammam District.
10. Talla Subba Rao, S/o. late Narayana, Age 48 years, Occ. Agriculture, R/o. Venkatadrigudem Village, Dammamet Mandal, Badradri-Kothagudem District.
11. Talla Vishnu, S/o. late Narayana, Age 45 years, Occ. Agriculture, R/o. Venkatadrigudem Village, Dammamet Mandal, Badradri-Kothagudem District.

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 in the nature of Mandamus, declaring the action of the respondent No.5 in registering F.I.R. No.56/2026 dated 02.03.2026 against the 2nd petitioner under sections 296(b), 329(3), 324(4), 351(2) of BNS and his

unnecessary interference into the land to an extent of Ac.0.20 Guntas, situated in Sy. No.319, at Venkatadrigudem H/o. Mustibanda Village, Dammapeta Mandal, Badradri-Kothagudem District belonging to the petitioners based on the Letter vide R.C. No.B/574/2025 dated 23.02.2026 of the respondent No.8 in violation of the Order in W.P. No.30115 of 2025 dated 13.10.2025 as illegal, arbitrary, violative of the provisions under Art.14, 21 and 300-A of the Constitution of India and consequently to Quash the F.I.R. No.56/2026 dated 02.03.2026 registered by the respondent No.5 against the 2nd petitioner under sections 296(b), 329(3), 324(4), 351(2) of BNS and direct the respondent No.5 not to take any coercive steps against the 2nd petitioner and not to interfere into the land to an extent of Ac.0.20 Guntas, situated in Sy. No.319, at Venkatadrigudem H/o. Mustibanda Village, Dammapeta Mandal, Badradri-Kothagudem District belonging to the petitioners and to set aside the Letter vide R.C. No.B/574/2025 dated 23.02.2026 of the respondent No.8 in the interest of justice.

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondent No.5 not to take any coercive steps against the 2nd petitioner and not to interfere into the land to an extent of Ac.0.20 Guntas, situated in Sy. No.319, at Venkatadrigudem H/o. Mustibanda Village, Dammapeta Mandal, Badradri-Kothagudem District belonging to the petitioners, pending disposal of WP 7373 of 2026, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI NEELI VENKATADRI Advocate for the Petitioners, SRI B. SREEDHAR, AGP FOR HOME for the Respondents No. 1, 3, 4 and 5 and AGP FOR REVENUE for the Respondents No. 2, 6, 7 and 8, the Court made the following.

ORDER:

Learned counsel for the petitioners submits that the petitioners have not committed the alleged offence and have been falsely implicated in the present case. He further submits that the allegations levelled against the petitioners are purely civil in nature. He further submits that when the official respondents were trying to interfere with the subject property of the petitioners at the instance of the unofficial respondents, the petitioners approached this Court by filing W.P. No.30115 of 2025. In the said writ petition, the learned Assistant Government Pleader submitted that respondent No.9 had lodged a complaint against the petitioners and the Investigating Officer, after conducting a preliminary enquiry, closed the complaint as 'civil in nature'. Recording the above submissions, this Court disposed of the said writ petition on 13.10.2025 directing the respondents therein to follow the due procedure as contemplated under law before initiating any action against the petitioners and the subject property. Subsequently, respondent No.9 lodged the present complaint with the very same allegations and also included other allegations, though the petitioners are in peaceful

possession of the subject property and have not damaged any property as alleged in the complaint. He further submits that the offences levelled against the petitioners are punishable with imprisonment of less than seven years. He further submitted that the Investigating Officer, without following the mandatory procedure prescribed under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') and without following the guidelines formulated by the Hon'ble Supreme Court in *Arnesh Kumar Vs. State of Bihar*¹, is proceeding further in the matter and the same is contrary to law.

Taking into consideration the aforesaid submissions, there is force in the submissions made by the learned counsel for the petitioners, and a detailed examination is required.

Sri B.Sreedhar, learned Assistant Government Pleader for Home takes notice on behalf of respondent Nos. 1, 3, 4 and 5 and learned Assistant Government Pleader for Revenue takes notice on behalf of respondent Nos.2, 6, 7 and 8.

Learned counsel for the petitioners is permitted to take out personal notice to respondent Nos.9, 10 and 11 by way of Speed Post with Acknowledgment Due and file proof of service.

List on 20.04.2026.

In the meanwhile, the Investigating Officer is directed to follow the due procedure as contemplated under the provisions of the BNSS, insofar as petitioners are concerned.

Sd/- P.C.SULEKHA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Department of Home, Secretariat Buildings, Saifabad, State of Telangana, Hyderabad.
2. The Principal Secretary, Department of Revenue, Secretariat Buildings, Saifabad, State of Telangana, Hyderabad.
3. The Superintendent of Police, Badradri-Kothagudem District.
4. The Deputy Superintendent of Police, Palwancha, Badradri-Kothagudem District.
5. The Station House Officer, Dammampeta Police Station, Badradri-Kothagudem District.

6. The District Collector, Badradri-Kothagudem District.
7. The Revenue Divisional Officer, Palwancha Revenue Division, Badradri-Kothagudem District.
8. The Tahsildar, Dammamet Mandal, Badradri-Kothagudem District.
9. Beeravalli Chittemma, W/o. Titupati, Age. 65 years, Occ. Housewife, R/o. Ayyagaripeta, Maruthi Nagar, Sathupally Mandal, Khammam District.
10. Talla Subba Rao, S/o. late Narayana, Age 48 years, Occ. Agriculture, R/o. Venkatadrigudem Village, Dammamet Mandal, Badradri-Kothagudem District.
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(Addressees 1 to 11 BY SPAD)

12. One CC to SRI NEELI VENKATADRI Advocate [OPUC]
13. Two CCs to CP FOR HOME, High Court at Hyderabad. [OUT]
14. Two CCs to CP FOR REVENUE, High Court at Hyderabad. [OUT]
15. One spare copy

HIGH COURT

JSR, J

DATED: 11/03/2026

LIST ON 20.04.2026.



ORDER

WP.No.7373 of 2026

DIRECTION