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

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

PRESENT

THE HONOURABLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

WRIT PETITION NO: 33556 OF 2026

Between:

Thadem Kumara Swamy, S/o.Venkataiah, aged about 59 years, Occ. Business, R/o.H.No.1-14/1, Zaffergadh Village and Mandal, Jangaon District.

...PETITIONER

AND

1. The State of Telangana, Rep.by its Principal Secretary Department of Panchayat Raj and Rural Development, Dr.B.R.Ambedkar Telangana State Secretariat, Hyderabad.
2. The District Collector, Jangaon District, Jangaon.
3. The District Panchayat Officer, Jangaon District, Jangaon.
4. The Zaffergadh Gram Panchayat, Rep.by its Panchayat Secretary, Zaffergadh, Jangaon 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 one in the nature of Writ of MANDAMUS declaring the action of the respondents in interfering into theconstruction of petitioner at house bearing 1-66/1 in an extent of 109 sq. yards of Zaffergadh Village and Gram Panchayat. Jangaon District vide impugned Notice dated 23-09-2026 of the 4th respondent as arbitrary, illegal and violative of rights guaranteed under Articles 14, 21 and 300-A of the Constitution of India and set aside the same and consequently direct the respondents not to interfere in to the petitioner's subject property

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 suspend the impugned Notice dated 23/09/2026 issued by the 4th respondent. pending disposal of the above writ petition

Counsel for the Petitioner(s): Sri. Vadlakonda Ravi Kumar Reddy

Counsel for the Respondents No. 1 TO 3: Gp For Panchayat Raj Rural Dev

Counsel for the Respondents No. 4: Sri. Pradeep Reddy K, SC for ZP, MPP & GP

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

WRIT PETITION No.33556 of 2026
CNR.No. HBHC010686462026

DATE: 08.10.2026

Between:

Thadem Kumara Swamy

...Petitioner

AND

The State of Telangana,
Rep. by its Principal Secretary,
Department of Panchayath Raj & Rural Development,
Dr.B.R.Ambedkar Telangana State Secretariat,
Hyderabad and 3 others.

...Respondents

ORDER

Heard Sri Vadlakonda Ravi Kumar Reddy, learned counsel for the petitioner, learned Assistant Government Pleader for Panchayath Raj and Rural Development Department, appearing for respondent Nos.1 to 3 and Sri Pradeep Reddy Katta, learned Standing Counsel for Zilla Praja Parishads, Mandal Praja Parishads and Gram Panchayats, appearing for respondent No.4. Perused the record.

2. Learned counsel for the petitioner submits that the petitioner is the absolute owner and possessor of house bearing No.1-66/1,

admeasuring 109 square yards, situated at Zaffergadh Village, Jangaon District, having acquired the same under a registered Gift Deed bearing Document No. 2403/2022, dated 24.06.2022.

3. Learned counsel for the petitioner further submits that earlier this Court, by order dated 12.08.2024 in W.P. No. 21926 of 2024, directed the respondents not to dispossess the petitioner herein without following due process of law. Pursuant thereto, the petitioner obtained building permission vide Proceedings No. 183/BP/2024, dated 20.11.2024, and commenced construction in accordance with the sanctioned permission.

4. Learned counsel for the petitioner further submits that the 4th respondent, vide impugned notice dated 23.09.2026, directed the petitioner herein to stop construction without specifying any reasons or duly serving the notice. The impugned action is arbitrary and illegal, particularly when the petitioner is constructing the building pursuant to valid permission and has already incurred substantial expenditure.

5. Learned counsel for the petitioner further submits that W.P.No.33815 of 2024, filed by the petitioner concerning alleged illegal

encroachment and construction at R&B road, is pending before this Court.

6. Learned counsel for the petitioner further submits that appropriate orders be passed in the Writ Petition by directing the respondents not to interfere with the petitioner's ongoing construction, pursuant to the impugned notice dated 23.09.2026 and allow the Writ Petition.

7. ***Per contra,*** learned Standing Counsel for respondent No.4 submits that, pursuant to a complaint dated 21.09.2026 alleging encroachment of a public pathway and construction of a house on the road at Zaffergadh Village, the District Collector and Magistrate, Jangaon, issued notice under Section 94 of the Bharatiya Nagarik Suraksha Sanhita, 2023, directing the Mandal Panchayat Officer and the Panchayat Secretary to appear before the Collector on 03.10.2026 at 11:00 a.m. along with a detailed report. The Panchayat Secretary was also directed to inform the complainants and the petitioner herein to attend the hearing with the relevant original documents. Hence, the matter is under consideration before the District Collector, Jangaon, for appropriate action in accordance with law.

8. In view of the rival contentions, this Court is of the considered view that the issue relating to the alleged encroachment of the road requires examination by the District Collector, Jangaon, after conducting an appropriate enquiry. Accordingly, the construction undertaken by the petitioner may proceed, subject to the outcome of such enquiry. However, if any deviation from the building permission dated 20.11.2024 is found, the competent authority is at liberty to take appropriate action in accordance with law. The petitioner and the complainants shall cooperate with the enquiry and produce the relevant documents.

9. With the above observations, the writ petition is disposed of. There shall be no order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

SD/- C.DEEPIKA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary,, The State of Telangana, Department of Panchayat Raj and Rural Development, Dr.B.R.Ambedkar Telangana State Secretariat, Hyderabad.
2. The District Collector, Jangaon District, Jangaon.
3. The District Panchayat Officer, Jangaon District, Jangaon.
4. The Panchayat Secretary,,The Zaffergadh Gram Panchayat, Zaffergadh, Jangaon District.
5. One CC to SRI. VADLAKONDA RAVI KUMAR REDDY Advocate [OPUC]
6. One CC to Sri. Pradeep Reddy K, SC for ZP, MPP & GP [OPUC]
7. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV High Court for the State of Telangana, at Hyderabad [OUT]
8. Two CD Copies

DA

CC TODAY

HIGH COURT

DATED: 08/10/2026



ORDER

WP.No.33556 of 2026

DISPOSING OF THE WRIT PETITON

WITHOUT COSTS

12/10/26