

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

**TUESDAY, THE FIRST DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

CONTEMPT CASE NO: 2946 OF 2025

Contempt Case filed Under Sections 10 to 12 of Contempt of Courts Act, 1971 to punish the respondents herein willful, disobedience, deliberate, unlawful, illegal action the Orders of the High Court dated 07.04.2025 passed in W.P.No.10349 of 2025.

Between:

U.Srinivas, S/o Late. U.Narayana, Aged about 57 years Occ. Business, R/o H No 2-96 Gajularamaram Village, Qutubullapur Mandal Medchal Malkajgiri District.

...Petitioner

AND

1. SRI.R.V.KARNAN, S/o.Not known to the petitioner, Occ. COMMISSIONER, Greater Hyderabad Municipal Corporation, (GHMC) Tank Bund,Hyderabad.
2. SRI.APURV CHAUHAN, S/o.Not known to the petitioner, OCC. ZONAL COMMISSIONER, GHMC, Circle-25, Kukatpally Zone, Medchal Malkajgiri District.
3. SRI.MALLAIAH @MALLAREDDY, S/o.Not known to the petitioner OCC. DEPUTY COMMISSIONER, GHMC, Circle-26, Gajularamaram, Quthbullapur Mardal Medchal Malkajgiri District. 500055

**...CONTEMNORS/Respondents No. 10 to 12
in Main W.P. No. 10349/2025**

Counsel for the Petitioner : Sri. S. Srinivas Sridhar Rao

**Counsel for the Respondent Nos. 2 & 3 : Sri. K. Ravi Mahender Standing Counsel
for GHMC**

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.2946 of 2025
(CNR No. HBHC010613272025)

Date: 01.09.2026

Between:

U. Srinivas.

.....Petitioner

AND

Sri R. V. Karnan and two others.

....Respondents

ORDER

This Contempt Case is filed by the petitioner under Sections 10 to 12 of the Contempt of Courts Act, 1971, alleging willful and deliberate disobedience of the order dated 07.04.2025 passed by this Court in W.P.No.10349 of 2025.

2. The petitioner filed W.P.No.10349 of 2025 questioning the legality and validity of the Joint Inspection Report dated 19.04.2024 in respect of land admeasuring Ac.1.37 guntas in Sy.No.298 situated at Gajularamaram Village, Quthbullapur Mandal, Medchal-Malkajgiri District. The grievance of the petitioner was that the said Joint Inspection Report was contrary to the earlier surveys conducted by the Revenue authorities during the years 2001 and 2019 and the subsequent proceedings and correspondence dated 14.07.2021. The petitioner claimed that he and his family members were in possession of

the subject land and that the authorities, without taking into consideration the earlier survey proceedings and the boundaries fixed therein, were interfering with his possession and treating a portion of the land as part of the municipal park.

3. In the affidavit filed in support of the writ petition, the petitioner stated that the subject land in Sy.No.298 admeasuring Ac.1.37 guntas was being claimed by him on the basis of the revenue records and the Occupancy Rights Certificate issued by the competent authority. He further stated that surveys were conducted by the competent Revenue authorities on 28.04.2001 and 13.03.2019 and boundaries were fixed on the ground in the presence of panch witnesses. It was also stated that the Tahsildar, Quthbullapur Mandal, addressed letter No.B/810/2021, dated 14.07.2021 to the Revenue Divisional Officer, enclosing the location sketch prepared by the Irrigation Department. According to the petitioner, the said proceedings disclosed that the land in Sy.No.298 admeasuring 9335 square yards was not affected by the Full Tank Level of Pariki Cheruvu, though an extent of 940 square yards was stated to be partly affected by the buffer zone.

4. Having considered the submissions made in the writ petition and the material placed on record, this Court, on 07.04.2025, passed the following order:

**Notice before admission.*

Sri L.Ravinder, learned Assistant Government Pleader for Revenue takes notice for respondent Nos.1 to 9 and seeks time to file counter-affidavit. Sri K. Ravimahendra, learned Standing Counsel takes notice for respondent Nos.10 to 12. Sri Laxmalla Sandeep, learned Assistant Government Pleader for Irrigation takes notice for respondent No.13 and seeks time to get instructions.

Learned counsel for the petitioner is permitted to take out personal notice to respondent No.14 by Registered Post with Acknowledgment Due and file proof of service before the Registry by the next date of hearing.

This Writ Petition is filed praying this Court to declare the joint Inspection conducted on 19.04.2024 for the lands in Sy.No.298, Gajula Ramaram Village, as illegal, arbitrary and contrary to the provisions of the Telangana Survey and Boundaries Act, 1923 and the Rules made thereunder.

The case of the petitioners is that they are the owners and possessors of the land admeasuring Ac.1.37 guntas in Sy.Nos. 145, 263 and 298, situated at Gajula Ramaram Village, Qutubullapur Mandal, Medchal-Malkajgiri District, having acquired the same through Occupancy Rights Certificate issued vide proceedings No.J/2003/2003, dated 27.11.2003. It is the further case of the petitioners that acting on their application, survey has been conducted by respondent No.7 and boundaries have been fixed on 13.03.2019 and panchanama was drawn. It is the further case of the petitioners that respondent No.9, had addressed a letter No.B/810/2021, dated 14.07.2021 to respondent No.8-Revenue Divisional Officer, stating that the land in Sy.No.298 to an extent of Ac.1.37 guntas situated at Gajularamaram, is recorded in the name of Mangoli Narayana and location sketch prepared by the Irrigation Department is enclosed. As per the report of the Assistant Engineer, North Tanks Division, Secunderabad, the land in Sy.No.298 admeasuring 9335 square yards is not affected in FTL of Pariki Cheruvu but an extent of 940 square yards is partly affected in buffer zone of Pariki Cheruvu. The grievance of the petitioners is that without taking into consideration of the earlier two surveys and the boundaries fixed thereon, the respondent authorities have forcibly occupied part of the land of the petitioners and proceeding with the construction of municipal park.

Since it is stated that the survey has been conducted twice and the boundaries have been fixed for the subject land in Sy.No.298 as per Letter No.B/810/2021, dated 14.07.2021, the respondent authorities are directed not to interfere with the possession of the petitioners over the land to an extent of Ac.1.37 guntas in Sy.No.298 or disturb the boundaries fixed in pursuance of the inspection conducted by the Assistant Engineer, North Tanks Division, dated 14.07.2021, in any manner. Further, the respondent authorities are directed to maintain status quo over the subject land in all respects.

List on 16.06.2025."

5. The grievance of the petitioner in this contempt case is that immediately after passing of the aforesaid order, copies thereof were served upon the concerned authorities; in view of the earlier survey proceedings, he had erected stones and kaddies within the boundaries of the subject land; notwithstanding the subsistence of the order passed by this Court, the GHMC officials, namely Sri Ramesh, ACP, Sri Tulja Singh and subsequently Sri Somesh, entered the subject land on 19.04.2025 and again on 07.06.2025 and removed the stones and kaddies erected by him; complaints were lodged before the Commissioner, GHMC on 28.04.2025 and 24.05.2025 and also before the police; and a legal notice dated 27.09.2025 was also issued to the respondents calling upon them to comply with the order of this Court.

6. This Court, on 07.11.2025, issued notice to the respondent Nos.2 and 3. Subsequently, as the notices were served and there was no representation on their behalf, this Court, by order dated 23.01.2026,

issued Form-I to respondent Nos.2 and 3 and directed their appearance before this Court.

7. In pursuance of the aforesaid order, the respondent Nos.2 and 3 entered appearance and filed their counter affidavit, *inter alia* stating that the GHMC had commenced construction of the compound wall around the park on 18.06.2024 after obtaining administrative sanction and that the construction was completed on 04.01.2025, much prior to the order dated 07.04.2025; after passing of the said order, the petitioner attempted to erect stone kaddies in the area claimed by GHMC as park land; and upon receipt of complaints dated 19.04.2025 and 07.06.2025 alleging encroachment and erection of stone kaddies in the park area, the GHMC officials removed the same in discharge of their statutory duties and for protection of municipal property.

8. Respondent No.2 thereafter filed an additional counter affidavit dated 23.04.2026, reiterating the aforesaid stand and specifically stating that the GHMC officials removed the stone kaddies erected by the petitioner after the order dated 07.04.2025. Thus, the factum of removal of the stone kaddies subsequent to the passing of the order is not in dispute.

9. The petitioner filed a rejoinder denying the defence taken by the respondents. It is specifically contended that the respondents, instead of approaching this Court for clarification or modification of the order,

took upon themselves the task of determining the alleged encroachment and removed the stone kaddies notwithstanding the express direction of this Court not to disturb the boundaries and to maintain status quo in all respects. The petitioner further contended that the respondents' own admission regarding removal of the kaddies establishes the violation of the order of this Court.

10. During the pendency of the Contempt Case, respondent Nos.2 and 3 were directed to appear before this Court by issuing Form-I. On 20.02.2026, they did not appear and this Court directed the Commissioner of Police, Cyberabad Commissionerate, to secure their presence and produce them before this Court. On 23.02.2026, respondent Nos.2 and 3 appeared in person and tendered unconditional apology for their absence and sought time to file affidavits.

11. Thereafter, respondent Nos.2 and 3 filed affidavits tendering unconditional apology and explaining the circumstances for their absence. By order dated 25.02.2026, this Court accepted the explanation only for the purpose of dispensing with their personal appearance until further orders, while making it clear that they shall appear before this Court without fail upon receipt of any further notice. The said affidavits and the order dated 25.02.2026 relate to their absence before this Court and do not constitute an explanation

absolving them of the alleged disobedience of the order dated 07.04.2025.

12. The petitioner also filed I.A.No.3 of 2026 seeking permission to receive additional material papers i.e, survey proceedings, village maps, photographs depicting erection and removal of the kaddies, representations submitted to the authorities, correspondence and other documents in support of his allegation that the boundaries protected by the order were disturbed after 07.04.2025. The said application was allowed by this Court on 06.05.2026.

13. The question that falls for consideration is whether the action of the respondents in causing removal of the stone kaddies after the order dated 07.04.2025 amounts to willful disobedience of the said order.

14. The learned Senior Counsel appearing for the petitioner submitted that the order dated 07.04.2025 passed by this Court is clear and unequivocal and specifically prohibits the respondent authorities from interfering with the possession of the petitioner over Ac.1.37 guntas in Sy.No.298 and from disturbing the boundaries fixed pursuant to the inspection dated 14.07.2021. It is further submitted that the direction to maintain status quo in all respects was binding upon the respondents and that the respondents admittedly removed the stone kaddies after passing of the said order. Learned counsel would therefore contend that the subsequent justification offered by the respondents

that the kaddies were erected in the park area cannot be accepted, as the respondents were required to approach this Court if they were of the opinion that the order passed by this Court was being misused.

15. On the other hand, the learned Standing Counsel for GHMC submitted that there was no intention to disobey the order of this Court and that the GHMC officials acted only upon complaints received from the residents' Welfare Association and in the interest of protecting municipal property. It is submitted that the compound wall around the park had been completed even before passing of the order and that the removal of the kaddies was only intended to prevent alleged encroachment into the park area. It is therefore contended that the essential ingredient of willful disobedience is absent.

16. This Court has carefully considered the rival submissions and perused the material on record.

17. There is no dispute with regard to the nature and scope of the order dated 07.04.2025. This Court specifically directed the respondent authorities not to interfere with the possession of the petitioner over land admeasuring Ac.1.37 guntas in Sy.No.298 or disturb the boundaries fixed pursuant to the inspection conducted by the Assistant Engineer, North Tanks Division, dated 14.07.2021, in any manner. The respondent authorities were further directed to maintain status quo over the subject land in all respects.

18. Admittedly, the stone kaddies were removed subsequent to the passing of the aforesaid order. In fact, respondent No.2, in his additional counter affidavit, specifically admitted that the GHMC officials removed the kaddies erected by the petitioner after the order dated 07.04.2025. Thus, the factum of removal is established not merely from the allegation of the petitioner but also from the stand taken by the respondents themselves.

19. The justification offered by the respondents that the kaddies were removed pursuant to complaints received from the Welfare Association cannot be accepted. Once this Court directed the respondent authorities not to disturb the existing boundaries and to maintain status quo in all respects, the respondents were bound to comply with the said direction in letter and spirit. If they were of the view that the petitioner had erected the kaddies in an area forming part of the GHMC park or had otherwise acted contrary to the order, the appropriate course was to bring the matter to the notice of this Court and seek clarification or appropriate directions. They could not have unilaterally determined the alleged violation and taken steps which resulted in disturbance of the very boundaries protected by the order dated 07.04.2025.

20. In **Reena Kumari and others v. Praveer Kumar and others**¹, the Hon'ble Supreme Court observed as follows:

*"17.....The power to punish for civil contempt is a potent mechanism explicitly designed to secure public confidence in the administration of justice. As this Court held in **Anil Ratan Sarkar v. Hirak Ghosh** ((2002) 4 SCC 21), once an order passed by a competent court is clear and unambiguous, its implementation cannot be conditional upon a party's subjective understanding. Willful disobedience signifies an act done voluntarily with the intent to disregard the law."*

In the present case, the order dated 07.04.2025 is clear and unambiguous. This Court specifically directed the respondent authorities not to interfere with the possession of the petitioner over the land admeasuring Ac.1.37 guntas in Sy.No.298 or disturb the boundaries fixed pursuant to the inspection conducted by the Assistant Engineer, North Tanks Division, dated 14.07.2021, in any manner and further directed them to maintain status quo over the subject land in all respects. Therefore, the respondents were bound to comply with the said directions and could not have acted contrary thereto on the basis of their own understanding of the order. The plea that the compound wall had been completed on 04.01.2025 does not advance the case of the respondents. The issue in the present Contempt Case is not whether the construction of the compound wall was undertaken before or after the order dated 07.04.2025, but whether the respondents,

¹ 2026 INSC 642

subsequent thereto, disturbed the boundaries and status quo protected by the said order. The respondents' own pleadings establish that the stone kaddies were removed after the passing of the order. It is equally significant that the respondents have not placed before this Court any order of this Court permitting them to remove the stone kaddies after 07.04.2025. The complaints received from third parties, even if taken at their face value, could not override the binding direction issued by this Court. Administrative convenience or the perception of an officer regarding the ownership or location of the land cannot be a ground to disregard an order passed by this Court.

21. The material placed on record, therefore, establishes that the respondents, despite having knowledge of the order dated 07.04.2025, permitted their officials to remove the stone kaddies erected by the petitioner on 19.04.2025 and again on 07.06.2025. The subsequent explanation offered by the respondents does not satisfactorily account for the admitted act of removal. Such conduct resulted in disturbance of the boundaries and status quo which this Court had specifically directed the respondents to maintain.

22. The unconditional apologies tendered by respondent Nos.2 and 3 are confined to their absence before this Court pursuant to the Form-I notices. The said apologies do not contain any unconditional acceptance of the violation complained of by the petitioner, nor do they explain or

undo the admitted removal of the stone kaddies. Hence, the said apologies cannot absolve the respondent Nos.2 and 3 of the consequences arising from the disobedience of the order.

23. Having regard to the clear and unambiguous nature of the order dated 07.04.2025, the admitted removal of stone kaddies subsequent thereto and the failure of the respondents to establish any lawful authority for disturbing the boundaries protected by the said order, this Court is of the considered view that the petitioner has established willful and deliberate disobedience of the order dated 07.04.2025 by the respondent Nos.2 and 3.

24. Accordingly, respondent Nos.2 and 3 are found guilty of willful disobedience of the order dated 07.04.2025 passed by this Court in W.P.No.10349 of 2025 and are liable to be punished under Section 12 of the Contempt of Courts Act, 1971. Insofar as respondent No.1 is concerned, no separate finding is recorded, as the proceedings in Form-I were issued against the respondent Nos.2 and 3 and the material on record before this Court specifically concerns their conduct.

25. In the result, the Contempt Case is allowed, sentencing the respondent Nos.2 and 3/contemnors to suffer simple imprisonment for a period of one (01) week and to pay a fine of Rs.2,000/- (Rupees Two Thousand only) each, within three (03) days from today. In default of payment of fine, the respondent Nos.2 and 3 shall undergo simple

imprisonment for a further period of three (03) days. The petitioner shall pay subsistence allowance as per Rules. The sentence of imprisonment is suspended for a period of one (01) week from today. After expiry of the said period, the respondent Nos.2 and 3 shall surrender before the Registrar (Judicial-I), High Court for the State of Telangana, to undergo the sentence of imprisonment as stated supra. The respondents are directed to ensure strict compliance with the order dated 07.04.2025 passed in W.P.No.10349 of 2025 and shall not interfere with the possession of the petitioner over the subject land or disturb the boundaries fixed pursuant to the inspection dated 14.07.2021, except in accordance with any orders that may be passed in W.P.No.10349 of 2025.

Miscellaneous petitions, pending if any, shall stand closed.

//TRUE COPY//

Sd/- V. KAVITHA
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Registrar (Judicial-I), High Court for the State of Telangana, at Hyderabad.
2. The Section Officer, O.S. Section High Court for the State of Telangana at Hyderabad.
3. The Section Officer, Accounts Section, High Court for the State of Telangana at Hyderabad.
4. U.Srinivas, S/o Late. U.Narayana, Occ. Business, R/o F No 2-96 Gajularamaram Village, Qutubullapur Mandal Medchal Malkajgiri District
5. SRI.R.V.KARNAN, Occ. COMMISSIONER, Greater Hyderabad Municipal Corporation, (GHMC) Tank Bund, Hyderabad.
6. SRI.APURV CHAUHAN, OCC. ZONAL COMMISSIONER, GHMC, Circle-25, Kukatpally Zone, Medchal Malkajgiri District.
7. SRI.MALLAIAH @MALLAREDDY, OCC. DEPUTY COMMISSIONER, GHMC, Circle-26, Gajularamaram, Quthbullapur Mardal Medchal Malkajgiri District. 500055
8. One CC to Sri. S. Srinivas Sridhar Rao, Advocate [OPLC]
9. One CC to Sri. K. Ravi Mahender Standing Counsel for GHMC [OPUC]
10. Two CD Copies

DI.

HIGH COURT

CVBR, J

DATED: 01/09/2026

ORDER

CC.No.2946 of 2025



ALLOWING THE CONTEMPT CASE

(12) MT
1/9/26