

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

WEDNESDAY, THE ELEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN

WRIT PETITION (PUBLIC INTEREST LITIGATION) NO: 4 OF 2026

Between:

Gade Ramana Reddy, S/o Ramachandra Reddy, Aged about 65 years,
Occ.Professor and Agriculture, R/o H.No. 9-119/3/18/4, Raod No.4, Anjaneyanagar,
Bodduppal, Mechal-Malkajgiri District

...PETITIONER

AND

1. The State of Telangana, Rep. by its Chief Secretary, Secretariat Building, Secretariat, Hyderabad.
2. The Chief Election Officer, Election Commission, State of Telangana, Hyderabad.
3. The Principal Secretary, Municipal Administration and Urban Development Department, Secretariat Buildings, Hyderabad.

...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 Writ, Direction or an Order more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in issuing ward-wise reservation notifications for the 2nd Ordinary Elections to Municipalities and Municipal Corporations, 2026, by fixing excessive and disproportionate reservation ranging between 70 percent to 90 percent in several municipalities, by relying upon G.O.Ms.No.9 dated 12.01.2026 and G.O.Ms.No.14 dated 13.01.2026, by eliminating the open or unreserved category as illegal, arbitrary, unconstitutional and violative of Articles 14 and 243-T of the Constitution of India, and consequently direct the respondents to re-fix and re-notify the ward-wise

reservations strictly in accordance with constitutional principles and law by ensuring a reasonable and fair balance between reserved and open categories.

IA NO: 2 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 the operation and implementation of the ward-wise reservation notifications issued for the 2nd Ordinary Elections to Municipalities and Municipal Corporations, 2026, insofar as they provide excessive and disproportionate reservation ranging between 70 percent to 90 percent in several municipalities, and consequently stay the conduct of elections scheduled on 11.02.2026 based on such reservation, pending disposal of the above Writ Petition (PIL).

IA 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 direct the Respondent No.3 to produce the copies of GO Ms No.9, dated 12.01.2026 and GO Ms No.14, dated 13.01.2026 of MA department while hearing the matter as the same is not available in the website of Telangana Municipal Administration or Online, due to urgency in view of the impending elections, filing this present petition, pending disposal of the above Writ Petition (PIL).

**Counsel for the Petitioner : SRI RAPULU ABHINAV,
rep., SRI RAPOLU BHASKAR**

Counsel for the Respondent No.1 : SRI SUDHARSHAN, ADVOCATE GENERAL

Counsel for the Respondent No.2 : --

Counsel for the Respondent No.3 : SRI E.VENKATA REDDY, GP FOR MAUD

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN
WRIT PETITION (PIL) No.4 of 2026

DATE: 11.02.2026

BETWEEN:

Gade Ramana Reddy

....Petitioner

AND

The State of Telangana,
rep. by its Chief Secretary,
Secretariat, Hyderabad and 2 others

....Respondents

ORDER

Heard Sri Rapolu Abhinav, learned counsel representing Sri Rapolu Bhaskar learned counsel for the petitioner; Sri Sudharshan Reddy, learned Advocate General appearing for respondent No.1; Sri E.Venkata Reddy, learned Government Pleader for Municipal Administration and Urban Development appearing for respondent No.3 and perused the record.

2. This Writ Petition (Public Interest Litigation) is instituted by Sri Gade Ramana Reddy, a retired Assistant Professor of Chemistry, who claims to be a public-spirited citizen and a member of 'One World

People Group'. The petitioner calls in question the ward-wise reservation notifications issued for the 2nd Ordinary Elections to the Municipalities and Municipal Corporations, 2026, contending that the extent of reservation fixed in several municipalities ranges between 70% and 90%, which according to him is excessive, disproportionate and violative of Articles 14 and 243-T of the Constitution of India.

3. The relief sought by the petitioner is for issuance of a writ of mandamus declaring the action of the respondents-State in issuing the impugned reservation notifications as illegal, arbitrary and unconstitutional, with a consequential direction to re-fix and re-notify the ward-wise reservations strictly in accordance with the Constitutional mandate.

Factual Matrix (in brief)

4. The petitioner describes himself as a retired Assistant Professor in Chemistry, having served in SLNS College, Bhongir, Yadadri Bhongir District. It is stated that he is presently engaged in part-time coaching for students preparing for IIT Joint Entrance Examinations and is also involved in agricultural activity.

5. On 27.01.2026, the Telangana State Election Commission issued Notification No.150/TGSEC-ULBs/2026, calling upon the registered voters of 116 Municipalities and 7 Municipal Corporations

in the State to elect Ward Members for the 2nd Ordinary Elections, 2026. The election schedule fixed the date of poll as 11.02.2026.

6. Pursuant to the said notification, the District Collectors and District Election Authorities issued District Gazette Notifications specifying ward-wise reservations for Scheduled Tribes (STs), Scheduled Castes (SCs), Backward Classes (BCs), Women, and Unreserved categories. The notifications were issued in exercise of the powers delegated by the Government under G.O.Ms.No.9, MA Department, dated 12.01.2026 and G.O.Ms.No.14, MA Department, dated 13.01.2026.

7. The grievance projected in the writ petition pertains to the extent of reservation fixed in several municipalities. According to the averments in the affidavit, the aggregate reservation in certain municipalities ranges between 70% and 90%, leaving only a limited number of wards under the open category. It is stated that in municipalities comprising 15 to 20 wards, only 2 to 4 wards have been left unreserved.

8. The record further discloses that an online grievance was submitted on 01.02.2026 through the official Grievance Redressal System of the Telangana State Election Commission, referring inter alia to the reservation fixed in Jangaon Municipality. The response of

the Commission indicates that the reservation process had been finalized and that appropriate legal remedy could be pursued. A representation is also stated to have been addressed to the Hon'ble Chief Minister on 04.02.2026.

9. The writ petition also calls in question G.O.Ms.No.9 dated 12.01.2026 and G.O.Ms.No.14 dated 13.01.2026. It is mentioned in the affidavit that copies of the said Government Orders were not available on the official website, and an Interlocutory Application has been filed seeking a direction to the respondents to place the said Government Orders on record. However, the said G.Os. are appended as Annexures to the writ petition.

10. The present writ petition has been instituted on 06.02.2026 i.e., five days prior to the scheduled date of poll on 11.02.2026. By that stage, the election process, including issuance of election notice, filing and scrutiny of nominations, and publication of the final list of contesting candidates, was already in progress.

Contentions of the petitioner

11. Learned counsel on behalf of the petitioner has raised the following contentions hereunder:

- i) That the impugned ward-wise reservation notifications, issued in connection with the forthcoming municipal elections, have resulted in fixation of reservation ranging between 70% and 90% in several municipalities, which is stated to be excessive and disproportionate;
- ii) That such fixation of reservation has substantially reduced, if not virtually eliminated, the open or unreserved category, which is otherwise available to all eligible citizens irrespective of caste or category, including SC, ST, BC, minorities, women, and EWS candidates;
- iii) That the respondents have allegedly misapplied the principle of horizontal reservation for women by adding it over and above the vertical reservations for SCs, STs, and BCs, instead of adjusting it within the prescribed reservation framework;
- iv) That the impugned action is violative of Article 14 of the Constitution of India, as it is arbitrary, lacks rational basis, and offends the Doctrine of Proportionality;
- v) That the reservation pattern is contrary to the law laid down by the Hon'ble Supreme Court in **Vikas Kishanrao Gawali v. State of Maharashtra**¹, wherein it was held that total reservation in local body elections cannot exceed 50% in the

¹ (2021) 6 SCC 73

absence of exceptional circumstances supported by empirical data;

- vi) That Sections 28 and 29 of the Telangana Municipalities Act, 2019 contemplate reservation to the extent of 50% for SCs, STs, and BCs, and that the impugned Government Orders have, in effect, resulted in reservation exceeding the permissible limit;
- vii) That the petitioner is not a candidate in the forthcoming municipal elections and does not stand to derive any personal benefit from the outcome of the proceedings. It was urged that the writ petition has been filed *bona fide* in larger public interest.
- viii) On a specific query from the Court as to the basis for the assertion that reservation ranged between 70% and 90%, learned counsel fairly submitted that the figure was an approximation based on a general overview of the notifications and not on a precise mathematical computation. It was also conceded that no tabulated statement, chart, or detailed analysis demonstrating municipality-wise or district-wise computation of reservation had been prepared or placed on record.
- ix) That the petitioner has not challenged the constitutional validity of the Telangana Municipalities Act, 2019 or any specific

statutory provision thereunder, but seeks enforcement of the principles laid down by the Hon'ble Supreme Court in **Vikas Kishanrao Gawali** (supra 1).

Contentions of respondent Nos.1 and 3

12. The learned Advocate General for the State has made the following submissions regarding the reservations provided for the 2nd Ordinary Elections to the Municipalities and Municipal Corporations, 2026:

- i. That the total reservations provided for the SCs, STs and Backward Classes in the elections do not exceed the aggregate percentage mandated by the Hon'ble Supreme Court.
- ii. That the State is proceeding with elections under the framework for reservation as capped by the Hon'ble Supreme Court in the case of **Vikas Krishnarao Gawali** (supra 1). A plain reading of G.O.Ms.No.9, dated 12.01.2025 makes it amply clear that the notification is in compliance with the judgment of the Hon'ble Supreme Court in the case of **Vikas Krishnarao Gawali** (supra 1) and also provides for the manner of reservation in the Municipalities, which is in consonance with the framework stipulated by the Hon'ble Supreme Court.

- iii. That all necessary directions issued by the Hon'ble Supreme Court have been meticulously followed, particularly, the Triple Test framework for providing reservation to the Backward Classes in the elections.
 - iv. That the contentions raised by the petitioner are mere allegations unsupported by any quantifiable or unclarifiable data.
 - v. That the petitioner has failed to submit any material to prove that the reservation in any specific Municipality has actually exceeded the prescribed limits discharging the burden of proof, which lies on him.
 - vi. That in the absence of any such verifiable or demonstrable data, the challenge made by the petitioner must fail.
13. We have taken note of the respective contentions urged and the material on record.

Consideration by this Court

I. Maintainability of the Public Interest Litigation

14. In the present case regarding the maintainability of the PIL it is to be noted that the parameters governing the maintainability of PILs are well settled. The jurisdiction evolved as an instrument to vindicate the rights of those who are unable to approach the Court due to poverty, disability, or socially disadvantaged position. At the same

time, the Apex Court has repeatedly cautioned that this extraordinary jurisdiction must not be permitted to be invoked casually or for oblique purposes.

15. The Hon'ble Supreme Court emphasized that Courts must be satisfied about the *bona fides* of the litigant and the existence of genuine public injury before entertaining a PIL. The jurisdiction is not intended for busybodies or for those who approach the Court without adequate factual foundation.

16. In ***State of Uttaranchal v. Balwant Singh Chauhan***², the Apex Court by placing reliance on ***Holicow Pictures Pvt. Ltd. v. Prem Chandra Mishra***³, has held as under:

181. We have carefully considered the facts of the present case. We have also examined the law declared by this Court and other courts in a number of judgments. In order to preserve the purity and sanctity of the PIL, it has become imperative to issue the following directions:

(1) The Courts must encourage genuine and bona fide PIL and effectively discourage and curb the PIL filed for extraneous considerations.

(2) Instead of every individual Judge devising his own procedure for dealing with the public interest litigation, it would be appropriate for each High Court to properly formulate rules for encouraging the genuine PIL and discouraging the PIL filed with oblique motives. Consequently, we request that the High Courts who have not yet framed the rules, should frame the rules within three months. The Registrar General of each High Court is directed to ensure that a copy of the rules prepared by the High Court is sent to the Secretary General of this Court immediately thereafter.

(3) The Courts should prima facie verify the credentials of the petitioner before entertaining a PIL.

² (2010) 3 SCC 402

³ (2007) 14 SCC 281

(4) The Courts should be prima facie satisfied regarding the correctness of the contents of the petition before entertaining a PIL.

(5) The Courts should be fully satisfied that substantial public interest is involved before entertaining the petition

(6) The Courts should ensure that the petition which involves larger public interest, gravity and urgency must be given priority over other petitions.

(7) The Courts before entertaining the PIL should ensure that the PIL is aimed at redressal of genuine public harm or public injury. The Court should also ensure that there is no personal gain, private motive or oblique motive behind filing the public interest litigation.

(8) The Courts should also ensure that the petitions filed by busybodies for extraneous and ulterior motives must be discouraged by imposing exemplary costs or by adopting similar novel methods to curb frivolous petitions and the petitions filed for extraneous considerations.

Applying the aforesaid principles to the facts of the present case, it becomes evident that the petition suffers from substantial deficiencies.

17. It is to be noted that the foundation of the present case rests upon the assertion that reservation in several municipalities ranges between 70% and 90%. However, upon examination of the very District Gazette Notifications annexed by the petitioner, the data does not substantiate the sweeping allegation in the manner projected. The petitioner has not furnished a comprehensive tabulation of all municipalities to support the generalized claim. When the factual premise itself lacks precision and demonstrable support, the claim of large-scale public injury becomes tenuous.

18. It is pertinent to note that the PIL has been filed at a belated stage wherein, the District Gazette Notifications were issued on

17.01.2026, and the election notification was issued on 27.01.2026. The WP(PIL) came to be instituted on 06.02.2026, merely five days prior to the scheduled date of poll. By that time, the election process was already underway. The belated approach, particularly in matters affecting elections, is a relevant factor in declining relief.

19. The Hon'ble Supreme Court in ***Bombay Dyeing and Manufacturing Company Limited v. Bombay Environmental Action Group***⁴, has held as under:

341. Delay and laches on the part of the writ petitioners indisputably have a role to play in the matter of grant of reliefs in a writ petition. This Court in a large number of decisions has categorically laid down that where by reason of delay and/or laches on the part of the writ petitioners the parties altered their positions and/or third-party interests have been created, public interest litigations may be summarily dismissed. Delay although may not be the sole ground for dismissing a public interest litigation in some cases and, thus, each case must be considered having regard to the facts and circumstances obtaining therein, the underlying equitable principles cannot be ignored. As regards applicability of the said principles, public interest litigations are no exceptions. We have hereto before noticed the scope and object of public interest litigation. Delay of such a nature in some cases is considered to be of vital importance. (See Chairman & MD, BPL Ltd. v. S.P. Gururaja [(2003) 8 SCC 567].)

(emphasis supplied)

20. Further, the petitioner has not established any direct legal injury either himself or to any clearly identifiable section of the public. It is no doubt that in a Public Interest Litigation, the absence of personal injury is not, by itself, determinative; however, the Court must nonetheless be satisfied that the issue projected rests upon cogent

⁴ (2006) 3 SCC 434

material and credible data, and is not founded upon broad or generalized assertions.

21. The challenge in the present case is directed against ward-wise reservation notifications issued by several District Election Authorities across the State. However, the concerned authorities have not been impleaded as parties to the proceedings. The absence of necessary parties, particularly in a matter involving district-specific notifications, materially affects proper adjudication.

22. In the cumulative circumstances, the writ petition is beset with infirmities bearing upon its maintainability. Nevertheless, since elaborate submissions were addressed on the substantive issues relating to reservation in local bodies, we deem it appropriate to examine the matter on merits as well.

II. Allegation of Excessive Reservation

23. Insofar as the principal contention of the petitioner that the total reservation in several municipalities ranges between 70% and 90%, thereby transgressing constitutional limits is concerned, we have examined the District Gazette Notifications annexed to the writ petition. A municipality-wise computation of the figures disclosed therein does not substantiate the assertion that reservation extends up to 90% in several municipalities.

24. It is true that in certain municipalities with a smaller number of total wards, the percentage of reserved wards may appear relatively higher on account of the limited ward strength. However, the overall pattern emerging from the material placed on record indicates that the reservation percentages, in general, fall within a comparatively narrower range and do not, on the face of it, support the sweeping generalization advanced by the petitioner.

25. Significantly, the petitioner has not placed before this Court any consolidated tabular statement covering all 116 municipalities and 7 municipal corporations. Nor has any demographic data been furnished correlating reservation percentages with population figures. The pleadings contain broad expressions such as 'in several municipalities' and 'ranging between 70% to 90%' without precise municipality-wise substantiation.

26. It is settled principle that a party challenging the Constitutional validity or legality of reservation must place *prima facie* material demonstrating that the impugned action transgresses constitutional limits. Mere approximation or general assertion does not suffice.

27. The petitioner has also not challenged the constitutional validity of the Telangana Municipalities Act, 2019 or the Rules framed thereunder. The challenge is confined to the notifications issued

pursuant to statutory authority. In the absence of specific material demonstrating breach of statutory or constitutional limits, the Court cannot invalidate notifications issued under a presumptively valid legislative framework.

III. Absence of Comprehensive Data

28. A further difficulty in the petitioner's case lies in the absence of comprehensive empirical material. No municipality-wise population data for SCs, STs, or Backward Classes has been placed on record. No comparative analysis has been furnished to demonstrate that the vertical reservation for SCs, STs, and BCs, taken together, exceeds the 50% ceiling mandated under law.

29. The reliance placed on **Vikas Kishanrao Gawali** (supra 1), requires contextual understanding. The said judgment emphasized the Triple Test requirement for providing reservation to Backward Classes in local bodies, namely:

- (i) setting up of a dedicated Commission,
- (ii) specification of proportion of reservation based on empirical data, and
- (iii) ensuring that total vertical reservation does not exceed 50%.

From the material placed on record by the State, particularly G.O.Ms.No.9, dated 12.01.2026, it appears that a Dedicated Commission has been constituted and Rules have been framed

providing that aggregate reservation for SCs, STs, and BCs shall not exceed 50%. The petitioner has not placed any material demonstrating non-compliance with these requirements in any specific municipality.

30. Furthermore, the petitioner's submission appears to be premised on the assumption that horizontal reservation for women has been provided in addition to, and over and above, the vertical reservation categories. Such an understanding is misconceived. Horizontal reservation operates within the respective vertical categories and is not to be cumulatively added for the purpose of determining the 50% ceiling applicable to vertical reservation. The constitutional position delineating the distinction between vertical and horizontal reservations stands well settled.

31. The Telangana High Court Public Interest Litigation Rules, 2015 mandate, *inter alia*, disclosure of the source of information, proper verification of facts, and a clear demonstration of public injury. In the present case, the pleadings do not reflect any detailed or verified computation indicating the methodology adopted by the petitioner in arriving at the alleged reservation percentages. It is true that procedural deficiencies, by themselves, may not be fatal to a *bona fide* public cause. However, where the substantive factual foundation is itself inadequately laid and unsupported by cogent material, this Court

must exercise circumspection in invoking its extraordinary jurisdiction under Article 226 of the Constitution.

Conclusion

32. In the light of the aforesaid discussion, we are of the considered view that no case is made out for interference. The petitioner's principal allegation that reservation ranges between 70% and 90% across several municipalities is not supported by comprehensive or verified data. The petitioner has also not established any violation of the statutory framework or non-compliance with the parameters laid down by the Hon'ble Supreme Court in relation to reservation in local bodies. The petition, having been instituted at a belated stage when the election process was already underway, and being unsupported by precise and demonstrable data, does not warrant interference under Article 226 of the Constitution.

33. Accordingly, the Writ Petition is dismissed. It is, however, open to the petitioner, if so advised, to institute appropriate proceedings in accordance with law upon placing on record specific, verified and quantifiable data in support of any future challenge. Any such proceedings shall be considered independently and on their own merits. It is further clarified that this order shall not preclude any person who is genuinely aggrieved, and who is able to demonstrate

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specific legal injury supported by concrete material, from seeking appropriate remedies in accordance with law.

As a sequel, miscellaneous petitions, pending if any, stand closed. No costs.

SD/-T. SRINIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI RAPOLU BHASKAR, Advocate. [OPUC]
2. Two CCs to THE ADVCOATE GENERAL, High Court for the State of Telangana. [OUT]
3. Two CCs to GP for Municipal Administration and Urban Development, High Court for the State of Telangana at Hyderabad. [OUT]
4. Two CD Copies.

BSK

BS

HIGH COURT

DATED:11/02/2026



ORDER

WP(PIL).No.4 of 2026

**DISMISSING THE WRIT PETITION (PIL)
WITHOUT COSTS**

⑧
06/03/26
K.S