

**WRIT APPEAL NO: 252 of 2026**

Shri Sitaramanjaneyulu Elaprolu,

...Appellant

Vs.

The Union Of India and Others

...Respondent(s)

Advocate for Appellant:

JHANSI GUDURU

Advocate(s) for Respondent(s):

GP FOR HOME, G SAI NARAYANA
RAO SC FOR CENTRAL. GOVT.**CORAM : THE CHIEF JUSTICE LISA GILL
SRI JUSTICE R RAGHUNANDAN RAO****DATE : 7th May 2026****The Court made the following Judgment:**

(per Hon'ble Sri Justice R. Raghunandan Rao)

Heard Mrs. Jhansi Guduru, learned counsel appearing for appellant, and learned Government Pleader for Home, appearing for respondents 1 to 3.

2. The appellant claims ownership over Ac.1-99.5 cents of land, in Survey No.156/1 and 157/11 of Saripalli Village, Pendurthi Mandal and Visakhapatnam District. The petitioner came to know that the person, who is arrayed as respondent No.5, in W.P.No.2417 of 2025, had impersonated the

appellant by creating an Aadhaar Card and fraudulently executed two deeds of sale which were registered as Document No.407 of 2021, for an extent of Ac.1.85 cents and Document No.4077 of 2021 for an extent of Ac.14.50 cents in favour of respondent No.4 in W.P.No.2417 of 2025.

3. The appellant upon coming to know of the execution and registration of these documents, had filed a First Information Report, which was taken up as Crime No.430 of 2021 before the Station House Officer, Pendurthi Police Station, Visakhapatnam. Apart from this, appellant also filed O.S.No.174 of 2021, before the XI Additional District & Sessions Judge, Visakhapatnam, for a declaration that the aforesaid deeds of sale are null and void and not binding on the appellant. An interim injunction was issued restraining the parties in the said suit, who are arrayed as respondents 1 to 3, from interfering with the peaceful possession of the appellant over the said land. It also appears that the District Registrar and Inspector of Registration Offices in Visakhapatnam, took cognizance of a complaint filed by the son of the appellant and cancelled the said deeds of sale on 02.11.2021. The said orders of cancellation are said to have been challenged by respondent No.4, by way of W.P.No.26359 of 2023.

4. The appellant, while pursuing the complaint given by the appellant, in Crime No.430 of 2021, had sought the details of the Aadhaar Card along with the biometric information available under such Aadhaar Card from respondent No.2. This request made under the Right to Information Act

was rejected by respondent No.2, by proceedings dated 04.01.2024, on the ground that such information cannot be given in view of the bar under Section 8(1)(j) of the RTI Act, 2005. As the information was not being given, the appellant approached the Commissioner of Police, Visakhapatnam for such information to be obtained. As neither the Investigating Officer nor the Commissioner was seeking such information, appellant approached this Court by way of W.P.No.2417 of 2025 seeking a declaration that the order of rejection passed by respondent No.3, on 07.10.2024, should be declared to be illegal, arbitrary and for a consequential direction to respondent No.3 to furnish the information requested by appellant pertaining to the Aadhaar Card, used by respondent No.5, for executing the deeds of sale, mentioned above.

5. This Writ Petition came to be dismissed by a learned single judge of this Court, by an order dated 22.12.2025. The learned single judge took the view that the information sought by the petitioner, can be disclosed only under the Aadhaar Act, 2016, if an order from a court not inferior to a High Court or an order from Joint Secretary in case of National Security is issued. The learned single judge, held that since no application had been filed by the Commissioner of Police for such information, the Court would not be able to direct respondent No.3 to furnish such information.

6. Aggrieved by this order, appellant has approached this court, by way of the present Writ Appeal.

7. Smt. G. Jhansi, learned counsel for the appellant would contend that the entire investigation relating to the fraudulent execution of the deeds of sale, would have to fail in the absence of any further information, that could be obtained from respondent No.3. She would contend that the offence of forgery committed by the person arrayed as respondent No.5, was a serious offence and the perpetrators of such offences should not be permitted to go scotfree on the ground of securing their right to privacy.

8. As can be seen from the provisions of Section 33(1) of the Aadhaar Act, 2016, there is no absolute bar for release of such information. However, such information, as is permissible under the provisions of the Aadhaar Act 2016, can be released only after necessary safeguards are in place. It is for that purpose that the release of such information is restricted and is permissible only when an order of a court which is not inferior to a High Court is obtained.

9. In the present case, a person who is alleged to have committed an offence of forgery for personal gain, cannot be permitted to get away with such an offence, if he has committed such an offence, on the ground of protection of his privacy. In any event, the Aadhaar Card is officially said to have been issued in the name of appellant himself. In such circumstances, the question of privacy also may not arise.

10. On a conspectus of the aforesaid facts, this Court is of the view that the said information should be released by respondent No.3 to respondent Nos.6 & 7 for purposes of proceeding with the investigation in Crime No.430 of 2021.

11. Accordingly, this Writ Appeal is disposed of setting aside the order of the learned single judge, dated 22.12.2025, in W.P.No.2417 of 2025 with a further direction to respondents 2 & 3 to release the information available with these respondents, to respondent No.6. The said information to be restricted to the information that is permissible under the provisions of the Aadhaar Act, 2016. Upon such information being sent to respondent No.6, it would be open to respondent No.6 to share the said information with respondent No.7 for the purposes of investigation of Crime No.430 of 2021

12. Respondents 2 & 3 shall release such information, within a period of three (3) weeks from the date of receipt of this order, to respondent No.6.

As a sequel, pending miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

LISA GILL,CJ

RAGHUNANDAN RAO,J

RJS

HONOURABLE THE CHIEF JUSTICE LISA GILL
&
THE HON'BLE SRI JUSTICE R. RAGHUNANDAN RAO

WRIT APPEAL No: 252 of 2026

(per Hon'ble Sri Justice R.Raghunandan Rao)

07.05.2026

RJS