

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE TWENTIETH DAY OF AUGUST

TWO THOUSAND AND TWENTY FIVE

**:PRESENT:
THE HONOURABLE SRI JUSTICE ANIL KUMAR JUKANTI**

WRIT PETITION NO: 1182 OF 2021

Between:

Abdul Kareem, S/o Shaik Ahmed, occ business, R/o H.No. 5-7-44, near
Madeena Masjid, Tandur, Ranga Reddy.

Petitioner

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The Chief Commissioner of Land Administration, Hyderabad.
3. The District Collector,, Vikarabad, erstwhile RR Dist.
4. The District Collector,, Ranga Reddy District.
5. The Sub-Collector,, Vikarabad Division.
6. The Revenue Divisional Officer, Vikarabad, Vikarabad District
7. The Tahsildar, Yalal Mandal, Vikarabad District.
8. The Joint Registrar, Vikarabad
9. Sub-Registrar, Tandur, Vikarabad

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 order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the respondents 2 to 7 in not deleting the Sy.No.52/68 and 52/EE, extent Ac.2.01 gunta, situated at Kokat Village, Yallal Mandal, Vikarabad District from Prohibition list as per the covered judgment reported in 2014 (3) ALT 473 as illegal, arbitrary and violative of Articles 14, 19 (I) (g) of the Constitution of India and consequently direct the respondents 2 to 7 to delete the Sy.Nos. 52/68 and 52/EE, extent Ac.2.01 gunta, situated at Kokat Village, Yallal Mandal, Vikarabad District from the Prohibited list as per the letter of the respondent No.7 vide letter No. B/975/ 2015, dated 12/11/2015, in the interest of justice.

IA NO: 1 OF 2021

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 respondents 2 to 7 to consider and dispose of the representation of the petitioner dated. 05/08/2015 forthwith by deleting the Sy. No. 52/68 and 52/EE, extent Ac.2.01 gunta, situated at Kokat Village, Yallal Mandal, Vikarabad District from Prohibition list as per the covered judgment reported in 2014 (3) ALT 473 and letter of the

respondent No.7 vide letter No. B/975/ 2015, dated. 12/11/2015, in the interest of justice, Pending disposal of WP 1182 of 2021, 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 ASADULLA SHAREEF, Advocate for the Petitioner and GP FOR REVENUE for the Respondents, the Court made the following.

ORDER:

No counter affidavit has been filed by respondents.

Matter pertains to the year 2021.

Rule 12 of Writ Proceedings Rules, 1977 reads as follows:

“12 (i) (a) Every Respondent in every Writ Petition intending to enter appearance and oppose any Writ Petition on which notice is issued by the High Court, shall enter appearance and file a Counter Affidavit in opposition as soon as may be and in any event one hundred and twenty days from the date of service of notice in the Writ Petition or the Service of Rule nisi on the said Respondent.

(b) Reply affidavits shall be filed unless otherwise ordered, within one month of receipt of copy of the Counter Affidavit.

(ii) No Counter affidavit filed beyond one hundred and twenty days from the date of service of notice on the opposite party or parties in the Writ Petition shall be received or be used at the hearing of the Writ Petition unless the Court grants leave to file counter affidavit beyond the stipulated period, subject to such terms as the Court may deem fit.

(iii) Affidavits in opposition and affidavits in reply thereto shall be filed in the Registry along with authenticated copies of documents on which the party relies duly stitched book-wise and indexed with continuous pagination, after service on the opposite party or parties. No such affidavit shall be entertained after the time extended in sub-rule (ii) without the leave of the Court.”

Rule 12 of Writ Proceedings Rules, 1977 categorically states that if no counter affidavit is filed beyond one hundred and twenty days from the date of service of notice, the Court can grant leave beyond the stipulated period, subject to such terms as the Court may deem fit.

In view of Rule 12 of Writ Proceedings Rules, 1977, this Court is inclined to levy costs of Rs.500/- each on respondent Nos.3 and 7 to be paid to petitioner.

It is made clear that if no counter affidavit is forthcoming by the next date of hearing, respondents shall be present before the Court on the next date of hearing. Needless to state that amounts shall be paid to petitioner and counter affidavit be filed by next date of hearing.

Post the matter on 01.09.2025.

SD/-S.MALLIKARJUNA RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat, Hyderabad.
2. The Chief Commissioner of Land Administration, Hyderabad.
3. The District Collector,, Vikarabad, erstwhile RR Dist.
4. The District Collector,, Ranga Reddy District. (1 to 4 BY Spl. Messenger)
5. The Sub-Collector,, Vikarabad Division.
6. The Revenue Divisional Officer, Vikarabad, Vikarabad District
7. The Tahsildar, Yalal Mandal, Vikarabad District.
8. The Joint Registrar, Vikarabad
9. Sub-Registrar, Tandur, Vikarabad (5 to 9 by SPEED POST)
10. One CC to SRI ASADULLA SHAREEF Advocate [OPUC]
11. Two CCs to GP FOR REVENUE, High Court at Hyderabad. [OUT]
12. One spare copy

HIGH COURT

JAK,J

DATED:20/08/2025

Post the matter on 01.09.2025

ORDER

WP.No.1182 of 2021



DIRECTION