

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE FOURTH DAY OF FEBRUARY TWO THOUSAND AND TWENTY ONE

**:PRESENT:
THE HONOURABLE SRI JUSTICE P NAVEEN RAO**

**IA No. 1 OF 2021
IN
WP NO: 1994 OF 2021**

Between:

1. Harijan @ Gadwala Ashok, S/o Sayanna.
2. Harijan @ Gadwala Shankaramma, W/o late Venkataiah.
3. Harijan @ Gadwala Karrenna, S/o Kistanna.
4. Harijan @ Gadwala Shanthanna, S/o Kistanna.
5. Harijan @ Gadwala Naganna, S/o Kistanna.

...Petitioners
(Petitioners in WP 1994 OF 2021
on the file of High Court)

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Hyderabad.
2. The District Collector, Wanaparthy District.
3. The Additional Collector, Wanaparthy District.
4. The Tahsildar, Wanaparthy Mandal, Wanaparthy District.
5. S. Bhagavan Das, S/o Narsaiah, R/o Nagavaram Village, Wanaparthy District.

...Respondents
(Respondents in-do-)

Counsel for the Petitioners : Sri M LAXMAN RAO
Counsel for the Respondent Nos.1 to 4: GP FOR REVENUE (TG)

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 pass interim direction to the 4th Respondent Tahsildar, Wanaparthy District, not to dispossess the petitioners from the Land i.e Ac.0.39 Guntas in Sy.No.110/2/1, Rajapet Village, Wanaparthy District, pending disposal of WP No. 1994 of 2021, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

Alleging that petitioners have violated the terms of assignment granted, notices were issued on 30.07.2019 calling upon the petitioners as to why the assignment should not be cancelled. Petitioners submitted their explanation to the notices issued. It appears, sofar no orders are passed canceling the assignment. While so, based on the claim of a person stating that he purchased land by way of unregistered sale deed from the petitioners, the Additional Collector Wanaparthy, directed the Tahsildar, vide his letter dated 14.08.2020 validating the unregistered sale deed in favour of the said person by invoking the provisions under Section 3 (5) of the Telangana Assigned Lands (Prohibition of Transfers) Act, 1977 (for short 'the Act'). Even a reading of this correspondence also does not show that assignment was cancelled. Thus, even before the assignment is cancelled, the question of conferring right on the alleged purchaser treating him as a bonafide purchaser and entitled to benefit under Section 3(5) of the Act, does not arise. Balance of convenience is in favour of petitioners. Hence, the order of Additional Collector in Proceedings

No.E/274/2020 dated 14.08.2020 is suspended and the respondent-Tahsildar is directed not to dispossess the petitioners from the land to an extent of Ac.0.39 guntas in Sy.No.110/2/1, Rajapet Village, Wanaparthy District. ✓

//TRUE COPY//

Sd/- L.LAKSHMI BABU
ASSISTANT REGISTRAR

[Signature]
SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat Buildings, Hyderabad.
2. The District Collector, Wanaparthy District.
3. The Additional Collector, Wanaparthy District.
4. The Tahsildar, Wanaparthy Mandal, Wanaparthy District.
5. S. Bhagavan Das, S/o Narsaiah R/o Nagavaram Village, Wanaparthy District.(1 to 5 By RPAD)
6. One CC to SRI M LAXMAN RAO, Advocate [OPUC]
7. Two CCs to GP FOR REVENUE, High Court at Hyderabad. [OUT]
8. One spare copy

mvj

HIGH COURT ✓

PNR,J ✓

DATED:04/02/2021 ✓

ORDER ✓

I.A.NO.1 OF 2021 ✓
IN
WP.No.1994 of 2021 ✓

DIRECTION ✓



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