

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

FRIDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

**THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY
WRIT PETITION NO: 3792 OF 2023**

Between:

1. Ryagari Madhavi @ Pyata Madhavi, w/o R. Narsimha Reddy
2. Tammali Mallaih, s/o Late Venkataiah
3. Mala Anjilaiah, s/o Late Hanmaiah
4. Kosgi Padmamma, w/o K. Sukkaiah
5. Kosgi Ramulamma, w/o K. Kondal
6. Kurva Mallaiah, s/o. Late Bheemaiah
7. Ryagari Venkat Reddy, s/o Late Sai Reddy
8. P. Anasuya, w/o Late P. Bal Reddy
9. Mangali Hanumanth, s/o M. Narsimulu

Petitioners

AND

1. The State of Telangana, represented by its Principal Secretary (Revenue Department) Government of Telangana, Secretariat Buildings, Hyderabad -500 004
2. The State of Telangana, represented by its Principal Secretary (Panchayathraj and Rural Development Department) Government of Telangana, Secretariat Buildings, Hyderabad -500 004
3. Chief Commissioner (Land Administration), Nampally, Hyderabad -500 001
4. District Collector, Mahabubnager District, Mahabubnager -509001
5. Revenue Divisional Officer, Mahabubnager Division, Mahabubnager -509001
6. Tahasildar, Gandeed Mandal, Gandeed (M), Mahabubnager District-509337
7. Chief Executive Officer, Mahabubnager District, Zillaparishath, Mahabubnager-509001
8. District Panchayath Officer, Mahabubnager District, Mahabubnager-509001
9. Mandal Panchayath Officer, Gandeed Mandal, Gandeed, Mahabubnager Dist-509 337
10. Jangamreddypally Grampanchayath, represented by its Panchyath Secretary, Gandeed (M) , Mahabubnager District-509337
11. Executive Engineer (PR), Zillaparishath-Mahabubnager District, Mahabubnager-509001
12. Assistant Executive Engineer (PR), Gandeed Mandal, c/o Executive Engineer (PR), Zillaparishath-Mahabubnager District, Mahabubnager Dist-509 337
13. Station House Officer, Mohmadabad Police Station, Mohmedabad, Mahabubnager District-509337

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 more in the nature of Writ of Mandamus or any other writ order or direction, to declare the action of the respondents in laying road from Gandeed village to Jangamreddypally village in patta lands of the petitioners in agricultural lands bearing survey numbers i.e. Sy.No.s. 24, 28,3, 29,30, 7, 2, 3, 91 and 113 of Gandeed revenue village and Mandal,

Mahabubnager District without following due process of law is illegal, arbitrary, unconstitutional and violate of principles of natural justice and Articles 14 and 300-A of Constitution of India;

IA NO: 1 OF 2023

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 directions to the respondents to remove the laid road by the respondents forthwith, from Gandeed village to Jangamreddypally village in patta lands of the petitioners in agricultural lands bearing survey numbers i.e. Sy.No.s. 24, 28,3, 29,30, 7, 2, 3, 91 and 113 of Gandeed revenue village and Mandal, Mahabubnager District, Pending disposal of WP 3792 of 2023, 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 D AMARENDER REDDY Advocate for the Petitioners, Mr. Kishore Rao, learned Standing Counsel for Gram Panchayat, who takes notice on behalf of respondent Nos.7 and 10, GP FOR REVENUE who takes notice on behalf of Respondent Nos.3 to 6, Government Pleader for Panchayat Raj who takes notice on behalf of respondent Nos.2, 8 and 9.and the Court made the following

ORDER:

Mr. Kishore Rao, learned Standing Counsel for Gram Panchayat, takes notice on behalf of respondent Nos.7 and 10.

Learned Additional Government Pleader for Revenue takes notice on behalf of respondent Nos.3, 4, 5 and 6.

Learned Government Pleader for Panchayat Raj takes notice on behalf of respondent Nos.2, 8 and 9.

List the Writ Petition on 24.03.2023 so as to enable the respective counsel, appearing on behalf of respective respondents, to file counter-affidavit in the matter.

In the meantime, there shall be *interim direction* to the respondents not to lay road in the petitioners' patta land(s) until further orders.

SD/- K.VENKAIAH
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary (Revenue Department), Government of Telangana, Secretariat Buildings, State of Telangana, Hyderabad -500 004
2. The Principal Secretary (Panchayathraj and Rural Development Department), Government of Telangana, Secretariat Buildings, State of Telangana, Hyderabad -500 004
3. The Chief Commissioner (Land Administration), Nampally, Hyderabad -500 001

4. The District Collector, Mahabubnager District, Mahabubnager -509001
5. The Revenue Divisional Officer, Mahabubnager Division, Mahabubnager - 509001
6. The Tahasildar, Gandeed Mandal, Gandeed (M), Mahabubnager District-509337
7. The Chief Executive Officer, Mahabubnager District, Zillaparishath, Mahabubnager-509001
8. The District Panchayath Officer, Mahabubanger District, Mahabubnager-509001
9. The Mandal Panchayath Officer, Gandeed Mandal, Gandeed, Mahabubnager Dist-509 337
10. The Panchyath Secretary, Jangamreddypally Grampanchayath, Gandeed (M) , Mahabubnager District-509337
11. The Executive Engineer (PR), Zillaparishath-Mahabubnager District, Mahabubnager-509001
12. The Assistant Executive Engineer (PR), Gandeed Mandal, c/o Executive Engineer (PR), Zillaparishath-Mahabubnager District, Mahabubnager Dist-509 337
13. The Station House Officer, Mohmadabad Police Station, Mohmedabad, Mahabubnager District-509337 (RR1 to 13 by RPAD)
14. One CC to SRI. D AMARENDER REDDY, Advocate [OPUC]
15. One CC to SRI. KISHORE RAO, (SC) [OPUC]
16. Two CCs to GP FOR REVENUE ,High Court of Telangana at Hyderabad. [OUT]
17. Two CCs to GP FOR PANCHAYAT RAJ ,High Court of Telangana at Hyderabad. [OUT]
18. One spare copy

HIGH COURT

CVBRJ

DATED:10/02/2023

NOTE: POST ON 24.03.2023

ORDER

WP.No.3792 of 2023

INTERIM DIRECTION

