

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

WEDNESDAY, THE TWENTY NINTH DAY OF OCTOBER  
TWO THOUSAND AND TWENTY FIVE

**PRESENT**

**THE HONOURABLE SMT JUSTICE K. SUJANA**

**CIVIL REVISION PETITION Nos: 2603 and 2793 OF 2017**

**CIVIL REVISION PETITION NO: 2603 OF 2017**

Petition under Article 227 of the Constitution of India, aggrieved by the order dated 31.03.2017 passed in Case No.F1/2071/2009 on the file of the court of the Joint Collector, Medchal-Malkajgiri District.

**Between:**

1. Sri Samala Raji Reddy, S/o.Kista Reddy. Aged 42 years, Occ Employee R/o.30-408, Padmavathi Nagar, Kanajiguda, Secunderabad, Rep. by his GPA holder, Sri. Samala Shiva Shanker Reddy, S/o. Kista Reddy, aged 39 years, Occ Employee, R/o.30-408, Padmavathi Nagar, Kanajiguda, Secunderabad.
2. Sri. Samala Shiva Shankar Reddy., S/o. Kiata Reddy, aged 39 years, Occ Employee R/o.30-408, Padmavathi Nagar, Kanajiguda, Secunderabad

**...Revision Petitioner/Respondent No.1 and 2**

**AND**

1. The Joint Collector, Medchal-Malkajgiri District. ORR Junction at Keesara.
2. Sri. Medi Narsimha, (Died Per LRs)
3. Sri. Medi Yellaiah (Died Per Lrs 8 to 11)
4. Medi Yadamma, W/o. Late Narasimha, R/o. H.No. 1-3-447/38/1, Chigadi Kunta, Kavadiguda, Hyderabad.
5. Medi Uma, W/o. G. Krishna, R/o. H.No. 1-130, Puduru Village, Medchal Mandal, R.R. District.
6. Medi Dayanand, S/o. Late Medi Narasimha, R/o. H.No. 5-80, Babaguda Village, Shamirpet Mandal, R.R. District.
7. Medi Jayanand, S/o. Late Medi Narasimha, R/o. H.No. 5-80, Babagida Village, Shamirpet Mandal, R.R. District.

(RR 4 to 7 are brought on record as LRs of the deceased R2 as per c.o. dt. 12.7.20212 in IA No. 5/2017)

8. Medi Prameela, W/o. Medi Yellamaiah, R/o. H.No. 8-80, Babaguda Village, Shamirpet Mandal, RR. Dist.

9. Medi Raju, S/o. Medi Yellamaiah, R/o. H.No. 8-80, Babaguda Village, Shamirpet Mandal, RR. Dist.
10. Medi Roja, D/o. Medi Yellamaiah, R/o. H.No. 8-80, Babaguda Village, Shamirpet Mandal, RR. Dist.)

(RR 8 to 10 are brought on record as LRs of the deceased R3 as per c.o. dt. 19.6.2025 vide IA No. 3/2025 in CRP No. 2603/2017.)

...Respondents/Appellants

**I.A. NO: 1 OF 2017(CRPMP. NO: 3421 OF 2017)**

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 SUSPEND the impugned order of the Joint Collector in Case No. F1/2072/2009 dated 31.03.2017, pending disposal of the main above revision and pass

**Counsel for the Petitioner : Sri. B Chandrasen Reddy**

**Counsel for the Respondent Nos.4, 5, 8 to 10 : Sri V. Balram**

**CIVIL REVISION PETITION NO: 2793 OF 2017**

Petition under Article 227 of the Constitution of India, aggrieved by the order dated 31.03.2017 passed in Case No.F1/2071/2009 on the file of the court of the Joint Collector, Medchal-Malkajgiri District.

**Between:**

1. Sri. Samala Raji Reddy, S/o.Kista Reddy, Aged 42 years, Occ Employee R/o.30-408, Padmavathi Nagar, Kanajiguda, Secunderabad, Rep. by his GPA holder, Sri. Samala Shiva Shanker Reddy, S/o. Kista Reddy, aged 39 years, Occ Employee, R/o.30-408, Padmavathi Nagar, Kanajiguda, Secunderabad
2. Sri. Samala Shiva Shankar Reddy, S/o. Kiata Reddy aged 39 years, Occ Employee R/o.30-408, Padmavathi Nagar, Kanajiguda, Secunderabad

...Revision Petitioners/Respondent No.1 and 2

**AND**

1. The Joint Collector, Medchal-Malkajgiri District., ORR Junction at Keesara
2. Sri. Erukala Agamaiah, (Died Per LRs 6 & 7)
3. Sri. Erukala Narsimha, S/o. Late Ramaiah, Aged 64 years, R/o. 8-160/156, Rajeevnagar Colony, Alwal, Medchal-Malkajgiri District
4. Sri Elukula Chandraiah (Died Per Lrs 8 to 10)
5. Sri. Erukula Sanjeeva, S/o. Late Ramaiah, Aged 56 years, R/o. 8-160/156, Rajeevnagar Colony, Alwal, Medchal-Malkajgiri District

6. A. Renuka, W/o. Arukala Ramesh, D/o. Late Kurakula Agamaiah @ Erukula Agamaiah, R/o. H.No. 1-50, Jeedimetla Village, Near Old Hanuman Temple, Quthbullapur, Medchal Malkajgiri.
7. Kurakula Anasuya, W/o. Late Kurakula Agamaiah @ Erukula Agamaiah, R/o. H.No. 16-5/9/4, Sukkammakanta, Near Pochamma Temple, Balaji Nagar, Shamirpet, Medchal Malkajgiri.
8. Kenasaram Sujatha, D/o. Late Kurakula Raju @ E. Chandraiah, R/o. H.No. 8-160/156, Rajeev Nagar Colony, Alwal, Medchal Malkajgiri.
9. K. Renuka, D/o. Late Kurakula Raju @ E. Chandraiah,, R/o. H.No. 8-160/156, Rajeev Nagar Colony, Alwal, Medchal Malkajgiri.
10. Kurakula Prabhakar, S/o. Late Kurakula Raju @ E. Chandraiah, R/o. H.No. 8-160/156, Rajeev Nagar Colony, Alwal, Medchal Malkajgiri.

(RR 6, 7 and 8 to 10 are brought on record as LR's of the deceased Nos. 2 and 4 respectively as per c.o. dt. 19.6.2025 vide IA Nos. 1 and 2 of 2025 in CRP No: 2793/2017)

...RESPONDENTS

**I.A. NO: 1 OF 2017(CRPMP. NO: 3697 OF 2017)**

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 SUSPEND the impugned order of the Joint Collector in Case No. F1/2071/2009 dated 31.03.2017, pending disposal of the main above revision.

**Counsel for the Petitioner : Sri. B Chandrasen Reddy**

**Counsel for the Respondent Nos. : 2, 3 & 5,6,7,8,9,10 : Sri V. Balram**

**The Court made the following:**

**THE HONOURABLE SMT. JUSTICE K. SUJANA**

**CIVIL REVISION PETITION NOS. 2603 AND 2793 OF 2017**

**COMMON ORDER :**

Since the lis in both the revision petitions pertains to the same subject property, they are heard together and disposed of by way of this common order.

2. Both the revision petitions are filed by the respondents in Case No.F1/2071/2009 and Case No.F1/2072/2009 before the Joint Collector, Medchal-Malkajgiri District. The appellants therein are the respondents herein in the respective revision petitions. They filed the said appeals aggrieved by the order dated 25.08.1993 passed by the Revenue Divisional Officer, Ranga Reddy East Division in File No.J/2894/93 granting Occupancy Rights Certificate (for short 'ORC') in respect of land in Sy.No.493 admeasuring Ac.5.00 and land in Sy.No.493 admeasuring Ac.4.00 situated at Bommaraspet Village, Shamirpet Mandal, presently Medchal-Malkajgiri District.

3. The facts of the case are that the land in Survey No.493, measuring 14 acres and 23 guntas in Bommarasipet Village, Shamirpet Mandal (now Medchal-Malkajgiri District), was

classified as Mafi Inam land. The appellants' father, Erukula Ramaiah, had possessed Ac.5.00, while the remaining land was held by permanent tenants Medi Shivaiah and another person on crucial date i.e., on 01.11.1973. After Erukula Ramaiah's death, the appellants and other legal heirs of Ramaiah inherited the land and were in continuous possession over the subject lands admeasuring Ac.5.00 and Ac.4.00 respectively in Sy.No.493 and as absolute owners. Being from a Scheduled Tribe community and unaware of legal procedures, they did not update the land records, and the land remained fallow. On 10.02.2009, the respondents and their henchmen attempted to encroach on the land by fencing it, claiming they had purchased it through a forged agreement and had obtained an Occupancy Rights Certificate (ORC) from the RDO. Immediately the appellants got enquired into the issue and obtained certified copies of the orders in File No.J/2894/73 and File No.J/2892/73 dated 25.08.1993 and found that ORC was granted based on misrepresentation and without any notice to them or their father. The respondents were never in possession or cultivated the subject lands, as confirmed by revenue records and reports from the MRO and RDO, which clearly stated that the lands were Mafi Inam lands.

4. The Joint Collector issued notice to both parties and set aside the order of RDO observing that there is prima-facie fraud played in issuing ORC by the RDO. Further the respondents therein have filed civil suit vide O.S.No.54 of 2009 on the file of Junior Civil Judge, Medchal, Ranga Reddy District and the said suit is still pending. Further, as the lands are Mali Inam lands they do not come under the purview of civil Court process, as such, the orders were set aside. Aggrieved by the same, the present civil revision petitions are filed.

5. Heard Sri B.Chandrasen Reddy, learned counsel appearing for the revision petitioners in both the revision petitions and Sri V.Balaram, learned counsel appearing for respondent Nos.4 to 10 in C.R.P.No.2603 of 2017 and respondent Nos.2 to 10 in C.R.P.No.2793 of 2017.

6. The contention of learned counsel for the revision petitioners is that the Joint Collector grossly erred in not perusing the facts and circumstances of the case in proper perspective and failed to observe that the revision petitioners are the owners and purchasers of subject lands under Vikrayanama dated 10.03.1993 and under a Sada Bayanama dated 14.02.1993 for a valuable consideration and got mutated

the property through record of rights on the file of Mandal Revenue Recording Authority. He further contended that the Joint Collector failed to consider the fact that the unofficial respondents and their father have given their voluntary disclaimer statements before the RDO and given No Objection in granting the pattadar passbooks in favour of revision petitioners. The Joint Collector also failed to follow the procedure in condoning the delay of 15 years in filing the appeals as no cogent reasons are explained and also ignored the status quo granted in I.A.No.259 of 2009 in O.S.No.54 of 2009 which is in subsistence when the above order was passed and even as on today the said suit is reserved for judgment. The Joint Collector had committed grave mistake in passing the orders dated 31.03.2017 without considering the fact that one of the appellants in both the appeals died during pendency of the proceedings and no legal representatives have been brought on record inspite of filing of a memo in the year 2015. He further contended that inspite of observations of this Court in C.R.P.No.279 and 1700 of 2010 in order dated 31.12.2014 confirming the condonation of delay, wherein the Joint Collector was directed to dispose of the appeals within three months from the date of receipt of order without being influenced by any of

the observations made in the said order has passed the impugned order by referring the order dated 02.01.2010 which has been merged with the orders in the above C.R.Ps. Further the Joint Collector ought to have given detailed reasoning before passing impugned order instead of passing the same in a mechanical manner. Learned counsel further contended that the respondents have not disputed their signatures at any point of time and the Joint Collector ought to have observed that the revision petitioners are in continuous possession of the subject properties and only on that ground status quo order was granted in O.S.No.54 of 2009. As such, requested this Court to set aside the impugned orders by allowing these revision petitions.

7. The respondents herein filed counter stating that 2<sup>nd</sup> respondent in C.R.P.No.2603 of 2017 died on 26.08.2014 and respondents 4 to 7 are his sons and daughters. That their grandfathers Medi Shivaiah and Erukula Ramiah are the tenants of land holder namely Rahmath Ali who was the Inamdar over the schedule lands to an extent of Ac.4.00 and Ac.5.00 in Sy.No.493 of Bommarasipet Village Shamirpet Mandal, Medchal Malkajgiri District and he was in absolute

possession and enjoyment of the said land prior to 1950 till his death and thereafter, their fore fathers and themselves came into possession and enjoyment of the said lands, inherited the same from their fathers and are in continuous possession and enjoyment of the same till today. The name of the grandfather of unofficial respondents in C.R.P.No.2603 of 2017 and the name of father of unofficial respondents in C.R.P.No.2793 of 2017 is also recorded in the revenue records such as Sesla Pahani 1955-58 as a kouldar and the same was reflected in the revenue records till 1995-96. It is further stated that the grandfather and father of respondents respectively never sold any part of the land to the petitioners and the alleged sada Bainama is forged and fabricated document.

8. Learned counsel further contended that the father of respondents in C.R.P.No.2603 of 2017 late Medi Narsimha filed an application in Form-I on 27.05.1993 before the Revenue Divisional Officer and participated in the enquiry submitted all the relevant documents and paid premium amount. The note file dated 25.08.1993 also indicates that their application was put up for issuance of ORC. However, at later point of time, they came to know that ORC was issued in the name of petitioners when their possession was interfered by the

petitioners in the guise of ORC which was fraudulently issued in favour of petitioners, they filed Appeal before the Joint Collector wherein the Joint Collector observed that fraud was played in issuance of ORC. It is further stated that the petitioners all of a sudden came to the subject land on 10.02.2009 and tried to disturb their possession and attempted to erect fencing over the subject lands claiming that they have purchased the land from their grandfather and father respectively. They also stated that they obtained ORC on the basis of forged document playing fraud. The respondents however resisted the illegal attempts of petitioners wherein they have filed suit vide O.S.No.54 of 2009 on the file of Principal Junior Civil Judge, Medchal and obtained interim injunction on the basis of fraudulent record of ORC and consequential change of their names in the subsequent pahanies. The said suit was decreed in favour of revision petitioners on 02.06.2017 granting perpetual injunction. However on 25.08.2009, the appeal preferred by these respondents was set aside as such, the judgment and decree dated 02.06.2017 in O.S.No.54 of 2009 has become infructuous. In view of Section 29 of A.P.(T.A) Abolition of Inams Act, 1955 no order passed by the Collector or Special Tribunal under this Act shall be liable to be cancelled or

modified except this Court or questioned in any court of law. The order of the Joint collector is suppressed before the civil court and obtained fraudulent decree of injunction, the respondents preferred appeal in A.S.No.80 of 2018 on the file of II Additional District Judge, Medchal-Malkajgiri District at Medchal and the same is pending. As the petitioners herein are highly influential persons, managed the revenue officials and by playing fraud got mutated their names in the revenue records and in consequential pahanies. However, they retained physical possession and subject lands are being cultivated by the respondents personally till today. The respondents further submitted that petitioners are not entitled for ORC in respect of the subject lands where they are the Mafi Inam lands and they are tenants and in possession of the same as on 01.11.1973 and till today. The Joint Collector rightly appreciated the evidence and granted ORC in favour of respondents herein and there are no reasons to interfere with the said order. Hence, prayed to dismiss these revision petitions.

9. Considering the submissions made by both the respective counsel and the material placed on record, the contention of revision petitioners herein is that they purchased the property by way of agreement of sale and they are in possession of

subject lands. The revision petitioners filed title deeds and pahanies to show that they purchased property from the grandfather and father of the respective respondents. The petitioners also filed disclaimer statements given by the father of respondents in C.R.P.No.2603 of 2017 dated 16.08.1993 wherein it is stated that the land bearing S.No.493 situated at Bommarasipet as Dasta Inam lands and Rahmat Ali and his brother were Inamdars and late Shivaiah, had cultivated Ac.4.10 guntas for about 35 to 40 years till his death and thereafter they are in possession of the land and sold the same to Samala Raji Reddy and Shiva Shankar Reddy in the year 1993 for their personal necessities and the disclaimer statement given by the father of unofficial respondents in C.R.P.No.2793 of 2017 shows that Rahmat Ali and his brother were Inamdars and that he has been cultivating the land to an extent of Ac.5.00 in Sy.No.493 since more than 40 years and apart from long standing possession he also purchased the said land in the year 1958 through Sada Baynama and sold the same and that he has no objection for granting ORC in favour of Samala Raji Reddy and Shiva Shankar Reddy in respect of the above extent in Sy.No.493 of Bommarasipet village, whereas the contention of respondents is that the said documents are fraudulent

documents and their fathers never signed on the said sworn statement and they did not know about granting of ORC in favour of revision petitioners till they interfered with their possession.

10. The primary contention raised by the respondents herein who are appellants in the appeal is that the revision petitioners-respondents therein committed fraud before the Joint Collector in obtaining the Occupancy Rights Certificate (ORC). Accordingly, the Joint Collector observed that fraud had been committed by the petitioners herein and set aside the order passed by the Revenue Divisional Officer (RDO).

11. Upon examination of the record, it is evident that the Joint Collector decided the appeal solely on the ground of alleged fraud committed by the revision petitioners and set aside the RDO's order without assigning any reasons or discussing the contentions raised by the parties. The decision appears to have been based entirely on the statement of respondents herein, asserting that fraud was committed in issuance of ORC in File No.J/2894/93. While adjudicating the appeal, the appellate authority is required to examine the nature of alleged fraud and address the specific contentions raised by the respondents. However, the impugned order lacks

any such reasoning or discussion. The respondents herein specifically contended that the signature of their father on the relevant document was forged. Despite this, the Joint Collector failed to examine whether the signature was indeed forged or genuinely executed by the respondents' father. Thus, the core issue was not addressed, and the order of the RDO was set aside merely on the unsubstantiated allegation of fraud. In view of the above, the order passed by the Joint Collector is unsustainable and is hereby set aside.

12. Accordingly, both the Civil Revision Petitions are allowed setting aside the order of Joint Collector in Case No.F1/2071/2009 and Case No.F1/2072/2009 and the matters are remanded to the Joint Collector, Medchal-Malkajgiri District to decide the issue afresh after giving opportunity to both the parties and pass appropriate orders by assigning reasons. There shall be no order as to costs.

Miscellaneous petitions, pending, if any, shall stand closed.

**SD/- A.V.S.PRASAD**  
**DEPUTY REGISTRAR**

**//TRUE COPY//**

**SECTION OFFICER**

**To,**

1. The Joint Collector, Medchal-Malkajgiri District.
2. One CC to Sri. B Chandrasen Reddy, Advocate [OPUC]
3. One CC to Sri V. Balram, Advocate [OPUC]
4. Two CD Copies

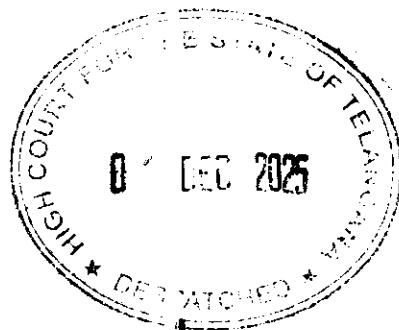
DL/PSL

HIGH COURT

DATED:29/10/2025

COMMON ORDER

CRP.Nos.2603 AND 2793 of 2017



ALLOWING THE CRPs

⑥MT  
26/11/25