

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

MONDAY, THE FIRST DAY OF JUNE
TWO THOUSAND AND TWENTY

:PRESENT:

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO: 7372 OF 2020

Between:

1. Mrs. Victoria, W/o T.R.Prem Sagar
2. Thammadi John Keerthi Sagar, S/o T.R. Prem Sagar

....Petitioners

AND

1. The State of Telanagana, Rep. by its Principal Secretary Revenue Department, Telanaga Secretariate, Hyderabad
2. The Joint Collector, Malkajgiri Division Malkajgiri
3. The Revenue Divisonal Officer, Malkajgiri Division Malkajgiri.
4. The Station House Officer, Neredmet Police Station
5. T.R. Prem Sagar, S/o.Late T. John Wesly aged about 61 years, Occ: Retd. Govt. Employee R/o H.No.37-70/c/167/304 Mourya Nest Apts, J.J.Nagar, Sainikpuri.
6. Mr. Anil Kumar, Sub-Inspector of Police Neredmet Police Station

....Respondents

WHEREAS the Petitioners above named through their Advocate MR.N.JOY presented this 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 set aside the proceedings no. L/929/2019 dated 0-10-2019 issued by the Tribunal cum Revenue Divisional Officer, Malkajgiri Division, Medchal District and direct the police not to interfere with regard to the possession of the house.;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of MR.N.JOY Advocate for the Petitioners, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary Revenue Department, State of Telangana, Telanaga Secretariate, Hyderabad
2. The Joint Collector, Malkajgiri Division Malkajgiri
3. The Revenue Divisonal Officer, Malkajgiri Division Malkajgiri.
4. The Station House Officer, Neredmet Police Station
5. T.R. Prem Sagar, S/o.Late T. John Wesly, R/o H.No.37-70/c/167/304 Mourya Nest Apts, 3.3 Nagar, Sainikpuri.
6. Mr. Anil Kumar, Sub-Inspector of Police Neredmet Police Station

are directed to show cause on or before 29.06.2020 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2020

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 proceedings no. L/929/2019 dated nil-10-2019 issued by the Tribunal cum Revenue Divisional Officer, Malkajgiri Division, Medchal District and direct the Neredmet police officials not to interfere with regard to the possession of the house, pending disposal of WP No. 7372 of 2020, on the file of the High Court.

The Court made the following Order:

Notice before admission.

Learned counsel for the petitioners is directed to take out personal notice to respondent Nos.5 and 6 and file proof of service into Registry.

A reading of the records shows that vide notice dt.Nil/09/2019 the petitioners were directed to appear before the Revenue Divisional Officer on 21.09.2019 at 3.00 p.m. As can be seen from the impugned order, on the above mentioned date i.e. 21.09.2019, the petitioners were neither given an opportunity to file their reply or counter to the allegations made against them by the complainant therein and the Tribunal-cum-Revenue Divisional Officer, Malkajgiri Division, has simply allowed the complaint without there being any material on record nor any evidence was adduced by any of the parties. The order does not disclose any reasons being given whatsoever by the adjudicating authority.

In view of the same, there shall be an interim suspension, as prayed for. Further, the respondents are directed not to interfere with the peaceful possession in respect of the House bearing H.No.37-93/157/4/A, Plot No.157 at Matura Nagar, Road No.2, Neredmet Cross Road, Malkajgiri Mandal, belonging to the petitioner, pending further orders of this Court.

Post on 29.06.2020.

Sd/- SRI JUSTICE A.ABHISHEK REDDY

//TRUE COPY//


REGISTRAR (JUDICIAL)


SECTION OFFICER

To

1. The Principal Secretary Revenue Department, State of Telangana, Telanaga Secretariate, Hyderabad
2. The Joint Collector, Malkajgiri Division Malkajgiri
3. The Revenue Divisonal Officer, Malkajgiri Division Malkajgiri.
4. The Station House Officer, Neredmet Police Station
5. T.R. Prem Sagar, S/o.Late T. John Wesly, R/o H.No.37-70/c/167/304 Mourya Nest Apts, J.J.Nagar, Sainikpuri.
6. Mr. Anil Kumar, Sub-Inspector of Police Neredmet Police Station. (RR-1 TO 6 BY RPAD ALONG WITH COPY OF PETITION AND AFFIDAVIT)
7. One CC to MR.N JOY Advocate [OPUC]
8. Two CCs to GP FOR REVENUE (TG), High Court Of Judicature at Hyderabad. [OUT]
9. Two CCs to GP FOR HOME (TG), High Court Of Judicature at Hyderabad. [OUT]
10. One spare copy

HIGH COURT

AAR,J

DATED; 01.06.2020

NOTE: POST ON 29.06.2020

WP.NO.7372 OF 2020

NOTICE BEFORE ADMISSION

DIRECTION



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