

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE TWENTY NINTH DAY OF AUGUST

TWO THOUSAND AND TWENTY THREE

:PRESENT:**THE HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY****WRIT PETITION NOs: 8950, 8952 & 8953 OF 2023 ✓****WP.No.8950 OF 2023:****Between:**

✓ Dyapa Geetha, W/ o. Dyapa Arjun Reddy.

Petitioner
✓**AND**

- ✓ 1. The State of Telangana Revenue Department, Represented by its Principal Secretary, BRK Bhavan, Hyderabad.
2. The District Collector, Nagarkurnool District, Collectorate Building, Nagarkurnool
3. Revenue Divisional Officer, Kalwakurthy Division, Nagarkurnool District
4. Sub Registrar, Kalwakurthy, Nagarkurnool District, 3/126, Subhashnagar, Kalwakurthy.
5. Tahsildar and Joint Sub Registrar, Urkonda Mandal, Nagarkurnool District
6. Dyapa Nikhil Reddy, S/o. Bal Reddy Dyapa, Occ. Business, R/o. 3/51, Madharam, Urkonda, Nagarkurnool
7. Bandari Manishankar, S/o. Bandari Sriramulu, Occ. Business R/ o. 3/51, Madharam, Urkonda, Nagarkurnool ✓

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 or an order or a direction, more particularly a writ in the nature of Mandamus by declaring the actions of the Respondent nos. 1 to 5 more particularly Respondent no. 5 in registering the document no. 734 of 2021 and mutating the name of Respondent no. 6 in the Revenue records with respect to land admeasuring Ac. 16/ 23 Gts in Survey Nos. 492/EE, 493/EE, 494/EE, 467/1SA, 466/1E, 465/2E, 465/1E, 463/E, 462/E, 461/E, 460/E, 459/E, 389/E, 387/E, 386/E, 499/EE, 382/E, 500/EE, 504/EE, 379/1E, 381/EE, 378/U, 2/E, 1/2C, 1/1AC, 491/EE, 484/E, 483/E, 482/E, 471/E, 470/E, 469/E, 486/E situated in Madharam village, Urkonda Mandal, kalvakurthy Division, Nagarkurnool District as arbitrary, illegal and unconstitutional and consequently direct the Respondents to mutate the name of the Petitioner in revenue records by cancelling the E-Pattadar Passbooks issued in favour of Respondent no. 6; ✓

IA NO: 2 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 direct the Respondent no. 2 to consider the representation made by the Petitioner dated 20.03.2023, pending disposal of WP No. 8950 of 2023, on the file of the High Court. ✓

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 suspend the operation of the sale deed bearing document no. 734 of 2021 and mutation proceedings issued by the Respondent no. 5 in favour of Respondent no. 6 with respect to land admeasuring Ac. 16-23 Gts in Survey Nos. 492/EE, 493/EE, 494/EE, 467/1SA, 466/1E, 465/2E, 465/1E, 463/E, 462/E, 461/E, 460/E, 459/E, 389/E, 387/E, 386/E, 499/EE, 382/E, 500/EE, 504/EE, 379/1E, 381/EE, 378/U, 2/E, 1/2C, 1/1AC, 491/EE, 484/E, 483/E, 482/E, 471/E, 470/E, 469/E, 486/E situated in Madharam village, Urkonda Mandal, kalvakurthy Division, Nagarkurnool District pending disposal of WP No. 8950 of 2023, on the file of the High Court. ✓

WP.No.8952 OF 2023:

Between:

✓ Dyapa Krishna Reddy, S/o. Dyapa Narayana Reddy.

Petitioner

AND

- ✓ 1. The State of Telangana, Revenue Department, Represented by its Principal Secretary, BRK Bhavan, Hyderabad.
2. The District Collector, Nagarkurnool District, Collectorate Building, Nagarkurnool.
3. Revenue Divisional Officer, Kalwakurthy Division, Nagarkurnool District
4. Sub-Registrar, Kalwakurthy, Nagarkurnool District, 3-126, Subhashnagar, Kalwakurthy.
5. Tahsildar and Joint Sub-Registrar, Urkonda Mandal, Nagarkurnool District
6. Dyapa Nikhil Reddy, S/o. Bal Reddy Dyapa, Aged about 38 years, Occ: Business, R/o. 3-51, Madharam, Urkonda, Nagarkurnool
7. Mohd. Mujtaba, S/ o. Mohd. Hameeduddin, Aged about 55 years, Occ: Business, R/o. 3-51, Madharam, Urkonda, Nagarkurnool ✓

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 or an order or a direction, more particularly a writ in the nature of Mandamus by declaring the actions of the Respondent nos. 1 to 5 more particularly Respondent no. 5 in registering the document no. 758 of 2021 and mutating the name of Respondent no. 6 in the Revenue records with respect to land admeasuring Ac. Ac. 15-11 Gts in Survey Nos. 1/1AD, 1/2D, 2/EE/1, 382/EE/1, 386/EE/1, 387/EE/1, 389/EE/1, 459/EE/1, 460/EE/1, 461/EE/1, 462/EE/1, 463/EE/1, 465/1EE, 465/2EE/1, 466/1EE, 466/3AA1, 467/1D, 469/EE/1, 470/EE/1, 471/EE/1, 482/EE/1, 483/EE/1, 484/EE/1, 486/EE, 491/U/1, 492/U/1, 493/U/1, 494/U/1, 499/U/1, 500/U/1, 504/U situated in Madharam village, Urkonda Mandal,

kalvakurthy Division, Nagarkurnool District as arbitrary, illegal and unconstitutional and consequently direct the Respondents to mutate the name of the Petitioner in revenue records by cancelling the E-Pattadar Passbooks issued in favour of Respondent no. 6; ✓

IA NO: 2 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 direct the Respondent no. 2 to consider the representation made by the Petitioner dated 20.03.2023, pending disposal of WP No. 8952 of 2023, on the file of the High Court. ✓

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 suspend the operation of the sale deed bearing document no. 758 of 2021 and mutation proceedings issued by the Respondent no. 5 in favour of Respondent no. 6 with respect to land admeasuring Ac. 15-11 Gts in Survey Nos. 1/1AD, 1/2D, 2/EE/1, 382/EE/1, 386/EE/1, 387/EE/1, 389/EE/1, 459/EE/1, 460/EE/1, 461/EE/1, 462/EE/1, 463/EE/1, 465/IEE, 465/2EE/1, 466/IEE, 466/3AA1, 467/1D, 469/EE/1, 470/EE/1, 471/EE/1, 482/EE/1, 483/EE/1, 484/EE/1, 486/EE, 491/U/1, 492/U/1, 493/U/1, 494/U/1, 499/U/1, 500/U/1, 504/U situated in Madharam village, Urkonda Mandal, kalvakurthy Division, Nagarkurnool District, pending disposal of WP No. 8952 of 2023, on the file of the High Court. ✓

WP.No.8953 OF 2023:

Between:

✓ Dyapa Mohan Reddy, S/o. Dyapa Narayana Reddy.

Petitioner

AND

- ✓ 1. The State of Telangana, Revenue Department, Represented by its Principal Secretary, BRK Bhavan, Hyderabad.
2. The District Collector, Nagarkurnool District, Collectorate Building, Nagarkurnool.
3. Revenue Divisional Officer, Kalwakurthy Division, Nagarkurnool District
4. Sub-Registrar, Kalwakurthy, Nagarkurnool District, 3-126, Subhashnagar, Kalwakurthy.
5. Tahsildar and Joint Sub-Registrar, Urkonda Mandal, Nagarkurnool District
6. Dyapa Nikhil Reddy, S/o. Bal Reddy Dyapa Aged about 38 years, Occ: Business, R/o. 3-51, Madharam, Urkonda, Nagarkurnool.
7. Raghupathi Naidu, S/o. G. Kashanna Alias Gopal, Aged about 52 years, Occ: Business, R/o. 3-51, Madharam, Urkonda, Nagarkurnool

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 or an order or a direction, more particularly a writ in the nature of Mandamus by declaring the actions of the Respondent nos. 1 to 5 more particularly Respondent no. 5 in registering the document no. 759 of 2021 and mutating the name of Respondent no. 6 in the Revenue records with respect to land admeasuring Ac. 16-16 Gts in Survey Nos. 1/1AB, 1/2B, 2/AA/1, 378/EE, 379/1AA, 381/E, 382/AA, 386/AA, 387/AA, 389/AA, 459/AA, ✓

460/ AA, 461/AA, 462/AA, 463/ AA, 465/1AA, 465/2AA, 466/1AA, 467/1AA, 469/AA, 470/AA, 471/AA, 482/AA, 483/AA, 484/AA, 486/AA, 491/E, 492/E, 493/ AA1, 494/E, 499/E, 500/E, 504/E situated in Madharam village, Urkonda Mandal, kalvakurthy Division, Nagarkurnool District as arbitrary, illegal and unconstitutional and consequently direct the Respondents to mutate the name of the Petitioner in revenue records by cancelling the E-Pattadar Passbooks issued in favour of Respondent no. 6;

IA NO: 2 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 suspend the operation of the sale deed bearing document no. 759 of 2021 and mutation proceedings issued by the Respondent no. 5 in favour of Respondent no. 6 with respect to land admeasuring Ac. 16-16 Gts in Survey Nos. 1/1AB, 1/2B, 2/AA/1, 378/EE, 379/1AA, 381/E, 382/AA, 386/AA, 387/AA, 389/AA, 459/AA, 460/AA, 461/AA, 462/AA, 463/AA, 465/1AA, 465/2AA, 466/1AA, 467/1AA, 469/AA, 470/AA, 471/AA, 482/AA, 483/AA, 484/AA, 486/AA, 491/E, 492/E, 493/ AA1, 494/E, 499/E, 500/E, 504/E situated in Madharam village, Urkonda Mandal, Kalvakurthy Division, Nagarkurnool District, pending disposal of WP No. 8953 of 2023, on the file of the High Court.

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 direct the Respondent no. 2 to consider the representation made by the Petitioner dated 20.03.2023, pending disposal of WP No. 8953 of 2023, on the file of the High Court.

These Petitions coming on for hearing, upon perusing the petitions and affidavits filed herein and upon hearing the arguments of Sri MALLU NETHAN REDDY, Advocate for the Petitioner and GP for Revenue for the Respondent Nos.1 to 5, the Court made the following

ORDER:

It is represented by learned counsel for the respondents that despite the undertaking given by learned Senior Counsel appeared for the petitioners on 18.08.2023 that there will not be any alienation of the subject land, the petitioners have reserved slot for alienation. To that effect, learned counsel for the respondents produced copies of the website information.

In the circumstances, petitioners are directed not to create any third party interest or alienation in respect of the subject land, until further orders.

Post on 08.09.2023.

//TRUE COPY//

SD/- MOHD. ISMAIL
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana, BRK Bhavan, Hyderabad.

2. The District Collector, Nagarkurnool District, Collectorate Building, Nagarkurnool
3. Revenue Divisional Officer, Kalwakurthy Division, Nagarkurnool District
4. Sub Registrar, Kalwakurthy, Nagarkurnool District, 3/126, Subhashnagar, Kalwakurthy. ✓
- ✓ 5. Tahsildar and Joint Sub Registrar, Urkonda Mandal, Nagarkurnool District
6. Dyapa Nikhil Reddy, S/o. Bal Reddy Dyapa, Occ. Business, R/o. 3/51, Madharam, Urkonda, Nagarkurnool
7. Bandari Manishankar, S/o. Bandari Sriramulu, Occ. Business R/ o. 3/51, Madharam, Urkonda, Nagarkurnool ✓
- ✓ 8. Mohd. Mujtaba, S/ o. Mohd. Hameeduddin, R/o. 3-51, Madharam, Urkonda, Nagarkurnool
9. Raghupathi Naidu, S/ o. G. Kashanna Alias Gopal, R/o. 3-51, Madharam, Urkonda, Nagarkurnool (1 to 9 by RPAD)
10. One CC to Sri MALLU NETHAN REDDY, Advocate [OPUC]
11. Two CCs to GP FOR REVENUE, High Court at Hyderabad. [OUT]
12. One spare copy ✓

HIGH COURT

BVR,J

DATED:29/08/2023

POST ON 08.09.2023

ORDER

WP.Nos.8950, 8952 & 8953 of 2023

DIRECTION

