

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

**FRIDAY, THE TWENTY FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

**:PRESENT:
THE HONOURABLE SRI JUSTICE PULLA KARTHIK
WP NO: 9112 OF 2026**

Between

Junuthula Swetha, W/o. Junuthula Abhishek Reddy.

Petitioner

AND

1. The State Of Telangana, Rep by its Principal Secretary, Revenue Department, Dr. B.R. Ambedkar Bhavan, Secretariat, Hyderabad.
2. The Appellate Authority-cum-District Collector, Hanumakonda District.
3. The Revenue Divisional Officer/Sub Divisional Magistrate, Hanumakonda Division, Hanumakonda District.
4. The Sub-Registrar, Warangal Urban, Warangal District.
5. Palla Laxmi, W/o. Late Palla Ranga Reddy, Occ. Housewife, R/o. Flat No.302, Saketha Apartments., Excise Colony, Near Rythu Bazaar, Hanumakonda, Hanumakonda District.

Respondents

WHEREAS the Petitioner above named through her Advocate SRI B VAMSHIDHAR REDDY 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 issue a Writ, Order or Direction, more particularly one in the nature of Writ of Certiorari, calling for the records in the proceedings leading to Proc. No. D/102/2026 dated 17.02.2026 of the 3rd Respondent and to quash the same as being illegal, arbitrary, without jurisdiction, in violation of the principles of natural justice, against the provisions of Articles 14, 21, and 300-A of the Constitution of India, and contrary to the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and consequently set-aside the same.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri. B VAMSHIDHAR REDDY

Advocate for the Petitioner, GP FOR REVENUE, for the respondent Nos. 1 & 4 and GP FOR WOMEN DEVELOPMENT and CHILD WELFARE, for the respondent Nos. 2 & 3, directed issue of notice to the Respondent No.5, herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

Palla Laxmi, W/o. Late Palla Ranga Reddy, Occ. Housewife, R/o. Flat No.302, Saketha Apartments., Excise Colony, Near Rythu Bazaar, Hanumakonda, Hanumakonda District.

are directed to show cause on or before 10.07.2026 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.

I.A. NO: 1 OF 2026

Petition under Section 151 of C.P.C praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to Suspend the operation of the Impugned order dated 17.02.2026 in Proceedings No. D/102/2026, and consequently direct the 3rd and 4th Respondent from effecting any cancellation, endorsement of cancellation, re-registration, or mutation pursuant to the Impugned Order, pending disposal of WP No 9112 of 2026, on the file of the High Court.

The Court made the following:

ORDER

Notice before admission.

Learned Government Pleader for Revenue takes notice on behalf of respondent Nos.1 and 4, and learned Government Pleader for Women Development and Child Welfare takes notice on behalf of respondent Nos.2 and 3, waive further notices, and seek time to file their respective counter affidavits.

Registry is directed not to take out further notices to respondent Nos.1 to 4, in view of the above waiver.

Learned counsel for the petitioner is permitted to take out personal notice to respondent No.5 through Speed Post with Acknowledgment Due and to file proof of service in the Registry by the next date of hearing.

Sri B. Chandrasen Reddy, learned Senior Counsel, representing Sri B. Vamshidhar Reddy, learned counsel for the petitioner, submits that respondent No.3 has passed the impugned order dated 17.02.2026 in

Proc.No.D/102/2026, holding that the petitioner had fraudulently obtained a Gift Deed, and thereby, invoking Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, (for brevity, 'the Act, 2007'), directing cancellation of the Registered Gift Deed bearing Doc.No.6680 of 2017, and further directed respondent No.4 to effect the cancellation and re-registration of the subject property in the name of respondent No.5. However, the said *ex parte* order was passed without even issuing any notice to the petitioner and without affording her an opportunity of hearing, as contemplated under Section 6 of the Act, 2007. As such, the impugned order dated 17.02.2026 is wholly illegal, arbitrary, and violative of principles of natural justice and settled principles of law. Therefore, learned Senior Counsel seeks indulgence of this Court.

Learned Government Pleader for Women Development and Child Welfare, opposes the very maintainability of the writ petition, on the ground of availability of an alternative remedy of appeal before the appropriate authority, as per Section 16 of the Act, 2007.

In reply, learned Senior Counsel contends that the right to appeal, as available under Section 16 of the Act, 2007, can only be invoked by the senior citizens or parents but not by the children. As such, the petitioner approached this Court by way of this writ petition, which is maintainable under law. Reliance, in this regard, has been placed upon the decision of a Division Bench of the High Court of Karnataka at Bengaluru in W.A.No.254 of 2024 dated 20.12.2024.

Having regard to the submissions made by counsel for the respective parties, this Court deems it apposite to refer to Section 16 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, which deals with appeals. The following is an excerpt of the said provision.

"16. Appeals

1. Any senior citizen or parent, as the case may be, aggrieved by an order of a Tribunal may, within sixty days from the date of the order, prefer an appeal to the Appellate Tribunal."

It is also relevant to refer to the decision of a Division Bench of the High Court of Karnataka at Bengaluru in W.A.No.254 of 2024 dated 20.12.2024, wherein, it has categorically been held that Section 16 of the Act, 2007, can

only be invoked by a senior citizen or parent, and it is unavailable to any other party. The relevant portion of the said decision reads as under:

"52. Conclusion

- (i) It is held that Section 16 of the Act can be invoked only by senior citizen or a parent.
- (ii) Right of appeal under Section 16 of the Act is not available to any other party."

In view of the above, since the petitioner herein is the youngest daughter of respondent No.5 herein, this Court accepts the contention of the learned Senior Counsel for the petitioner on the maintainability of writ petition.

Further, having heard the learned Senior Counsel appearing on behalf of the petitioner, this Court is also of the opinion that a *prima facie* case has been made out by the petitioner for grant of an interim relief. However, the *lis* raised in the present writ petition requires a detailed consideration, for which, comprehensive counter affidavits from the respondents are essential.

Therefore, pending writ petition, there shall be interim stay of all further proceedings in pursuance of the impugned order in proceedings No.D/102/2026 dated 17.02.2026, passed by respondent No.3.

Post this matter on 10.07.2026, for counter affidavits.

**Sd/- L.VIJAYA LAKSHMI
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal secretary Revenue Department, State of Telangana Dr. B.R. Ambedkar Bhavan, Secretariat., Hyderabad.
2. The Appellate Authority-cum-District Collector, Hanumakonda District.
3. The Revenue Divisional Officer/Sub Divisional Magistrate, Hanumakonda Division, Hanumakonda District.
4. The Sub-Registrar, Warangal Urban, Warangal District.[Addressees 1 to 4 by SPAD]

5. Palla Laxmi, W/o. Late Palla Ranga Reddy, Occ. Housewife, R/o. Flat No.302, Saketha Apartments., Excise Colony, Near Rythu Bazaar, Hanumakonda, Hanumakonda District.[by SPAD-along with a copy of petition and affidavit]
6. One CC to Sri. B VAMSHIDHAR REDDY Advocate [OPUC]
7. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad [OUT]
8. Two CCs to GP FOR WOMEN AND CHILD WELFARE, High Court for the State of Telangana, at Hyderabad [OUT]
9. One spare copy

HIGH COURT

PK, J

DATED: 24-04-2026

Post this matter on 10.07.2026

NOTICE BEFORE ADMISSION

WP.No.9112 of 2026

INTERIM STAY

