

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

FRIDAY, THE NINETEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE K.LAKSHMAN
WRIT PETITION NO: 10204 OF 2024

Between:

1. Marikanti Buchi Reddy, S/o. Venkat Reddy.
2. Smt. T. Laxamma, W/o. Ramgopal Reddy.
3. Smt. N. Anantha Laxmi, W/o. Yadi Reddy.
4. Marikanti Rajender Reddy, S/o. Venkat Reddy.

Petitioners

AND

1. The State of Telangana, rep. by its Principal Secretary to Government, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Nagarkurnool.
3. The Tahsildar, Thimmajipet Mandal, Nagarkurnool District.
4. Banka Ramakrishna Reddy, S/o. Jangi Reddy, R/o. Marikal village, Nagarkurnool District, Presently at H.No.7-2-L/49, Near Beerappa Temple, Jaipur, Nagole, Hyderabad-500068.

Respondents

WHEREAS the Petitioner above named through their Advocate Sri Palle Srinivasa 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 a direction, more particularly one in the nature of Writ of Mandamus to declare the action of the respondents in mutating the land in Survey No.174/A1/A2 admeasuring Ac.2.30 guntas situated at Marikal Village, Timmajipet Mandal, Nagarkurnool District, in favour of the non-official respondent/4th respondent, as being illegal, arbitrary, unreasonable and contrary to the provisions of Telangana State Rights in Land and Pattadar Pass Books Act, 2020 and contrary to the judgment and decree passed in O.S.No.424 of 2023 and further action of the respondents in reserving a slot for further alienation by non-official respondent, vide application , No.2400204103 is equally arbitrary, illegal and detrimental to the valuable property rights of the petitioners herein and issue a consequential direction directing the official respondents to delete the name of non-official respondent/4th respondent as pattadar of the above mentioned land and implement the judgment and decree passed in O.S.No.424 of 2023 by recording the names of the petitioners herein as pattadars in place of our sister late Smt. B. Tirupathamma, w/o. B. Madusudhan Reddy;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri PALLE SRINIVASA REDDY Advocate for the Petitioner and GP for Revenue for respondents Nos.1 to 3, directed issue of notice to the Respondent No.2 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

The District Collector, Nagarkurnool.

are directed to show cause on or before 11.06.2024 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 2024

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 respondents not to entertain any application made by the non-official respondent/4th respondent for alienation of or creation of interest in favour of third party in respect of the land in Sy.No.74/A1/A2 admeasuring Ac.2.30 guntas, situated at Marikal Village, Timmajipet Mandal, Nagarkurnool District, pending disposal of WP No. 10204 of 2024, on the file of the High Court.

The Court made the following:

ORDER

Notice to respondent No.2.

Personal notice is permitted.

Learned counsel for the petitioners shall file proof of service in the registry.

Vide endorsement No.B/327/2021, dated 04.04.2024 issued by respondent No.3 on the application submitted by petitioner No.1, it is informed that on verification of their E-Office record, Mutation No.2400006469 is not available; therefore they are not in a position to furnish the information.

Whereas, in the Encumbrance Certificate filed by the petitioners, there is specific mention that mutation was completed on the aforesaid transaction in respect of the subject property i.e., land admeasuring Ac.2-30 gts in Sy.No.174/A1/A2 situated at Marikal Village, Timmajipet Mandal, Nagarkurnool District. Smt Bankolla Tirupathamma died on 18.01.2016. Even then, respondent No.4 had submitted online application vide No. 2400204103 with respondent No.3, for the purpose of sale of subject property in favour of third parties.

In the light of the same, the matter requires examination.

List on 11.06.2024.

Till then, respondent No.3 is directed not to entertain the aforesaid application vide No.2400204103 submitted by respondent No.4 in respect of land admeasuring Ac.2-30 gts in Sy.No.174/A1/A2 situated at Marikal Village, Timmajipet Mandal, Nagarkurnool District.

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

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary to Government, Revenue Department, Secretariat, State of Telangana, Hyderabad. (by RPAD)
2. The District Collector, Nagarkurnool. (by RPAD- along with a copy of petition and Affidavit)
3. The Tahsildar, Thimmajipet Mandal, Nagarkurnool District.
4. Banka Ramakrishna Reddy, S/o. Jangi Reddy, R/o. Marikal village, Nagarkurnool District, Presently at H.No.7-2-L/49, Near Beerappa Temple, Jaipur, Nagole, Hyderabad-500068. (3 and 4 by RPAD)
5. One CC to SRI. PALLE SRINIVASA REDDY Advocate [OPUC]
6. Two CCs to GP FOR REVENUE, High Court at Hyderabad. [OUT]
7. One spare copy

Note:

In the order in WP No. 10204 of 2024 dt 19/4/2024 the Sy. No. is corrected as "174/A1/A2" in place of "174/A1/A4" vide C.O dt 29/04/2024 in IA.No. 2 of 2024.

Substitute this amended order in place of the order which was already dispatched on 22/04/2024.

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

HIGH COURT

KLJ

**DATED:19/04/2024
29/04/2024**



LIST ON 11.06.2024.

AMENDED

NOTICE BEFORE ADMISSION

WP.No.10204 of 2024

DIRECTION