

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE TWENTY FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 11522 OF 2023

Between:

1. Seelam Laxmipathi, S/o. Chandriah
2. Seelam Venkatesh, S/o. Chandriah
3. Seelam Phanindra, S/o. Sathyanarayana
4. Seelam Yelliah, S/o. Baliah
5. Seelam Sudhir, S/o. Late Bichapathi

...Petitioners

AND

1. The Principal Secretary to the Government of Telangana, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Nagarkurnool District, Nagarkurnool, Telangana.
3. The Revenue Divisional Officer, Achampet Revenue Division, Nagarkurnool District.
4. The Tahsildar, Achampet Mandal, Achampet, District 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 of Mandamus not transfer the land bearing S.No.51/7A extent A 6-00 g S.No.51/8A extent A 18-00 g, total A 24-00 g and to allot the same to the Landless petitioners who are in possession and cultivating the land since ages.

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondents not to transfer this Govt. land bearing S.No.51/7A extent 6-00 g and S.No.51/8A extent A 18-00 g total 24 Acres into others name in Dharani Revenue records, pending disposal of WP.No.11522 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of M/s. MURTUZA ALI FAROOQUI Advocate for the Petitioners and GP FOR ASSIGNMENT for the Respondents, the Court made the following.

ORDER:

At request of leaned Government Pleader for Assignment to file counter, post on 15.06.2023.

It is the specific contention of the petitioners that they are in possession of the subject property basing on the final patta certificate issued in the year 1974. In proof of the same, they have filed copies of photographs. Even then, respondent Nos.3 and 4 are trying to dispossess the petitioners without following due procedure laid down under law. In view of the same, matter requires examination.

Hence, respondent Nos.3 and 4 are directed not to dispossess the petitioners from the subject land without following due procedure laid down under law. However this order will not preclude the respondents in taking action against the petitioners in accordance with law and also committing of violation, if any, by the petitioners.

//TRUE COPY//

SD/- N. SRIHARI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary to the Government of Telangana, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Nagarkurnool District, Nagarkurnool, Telangana.
3. The Revenue Divisional Officer, Achampet Revenue Division, Nagarkurnool District.
4. The Tahsildar, Achampet Mandal, Achampet, District Nagarkurnool (RR 1 to 4 by RPAD).
5. One CC to M/s. MURTUZA ALI FAROOQUI, Advocate [OPUC].
6. Two CCs to GP FOR ASSIGNMENT, High Court for the State of Telangana at Hyderabad [OUT].
7. One spare copy
ZEE

HIGH COURT

KLJ

DATED:24/04/2023

POST ON 15.06.2023

ORDER

WP.No.11522 of 2023

DIRECTION

