

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE TWENTY SIXTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE LAXMI NARAYANA ALISHETTY

WRIT PETITION NOS: 15329 OF 2020, 20193, 21233 AND 26284 OF 2021 AND
13645 OF 2025

W.P.NO: 15329 OF 2020

Between:

Sri Muthyala Ashok Kumar, S/o, Late Sri M Venkat Ramaiah, Aged about 62 years, Occupation. Retd. Bank. Officers Rio, H.No.12-10-664, Indiranagar, Warasiguda, Secunderabad - 500061.

...PETITIONER

AND

1. The State of Telangana, represented by the Principal Secretary, Revenue, Registration, and Stamps Department, State Secretariat, at Hyderabad.
2. The District Collector, Kamareddy District.
3. The Revenue Divisional Officer, Yellareddy Divisional, Kam areddy District.
4. The Tahsildar Yellareddy Tahsil, Kamareddy District.
5. Sri Muthyala Manohar, S/o. Late Sri M Venkat Ramaiah, Aged about 70 years, Occupation. Agriculturist, R/o. Sirsill Road, Kamareddy District- 503122.
6. Sri Sudhakar @ Sudharshan, S/o. Late Sri M Venkat Ramaiah, Aged about 68 years, Occupation. Business, Rio, H.No.3-1-9, Yellareddy Mandal, Kamareddy District- 503122.
7. Sri M. Ramesh, S/o. Late Sri M Venkat Ramaiah, Aged about 72 years, Occupation. Business, R/o. H.No.3-5-113, Yellareddy Mandal, Kamareddy District- 503122.
8. Sri.M. Prabhakar, S/o. Late Sri M enkat Ramaiah, Aged about 67 years, Occupation. Business, H.No.3-5-113, Yellareddy Mandal, Karnareddy District- 503122.

9. Sri M Gangadhar, S/o. Late Sri M Venkat Ramaiah, Aged about 65 years, Occupation. Business, R/o. H.No.3-5-113, Yellareddy Mandal, Kamareddy District- 503122.
10. Sri M. Santhosh, S/o. Late Sri M Venkat Aged about 57 years, Occupation. Employee, H.No.3-5-113, Yellareddy Mandal, Kamareddy District- 503122.
11. Sri M. Vijay Kumar, S/o. Late Sri M. Jagadeswar, Aged about 62 years, Occupation. Retd., District Agriculture Office H.No.8-371-5/2, Road No. 7, Sai Babb Colony, Padmanagar Ring Road, Suchitra, Quthbullapur Mandal, Medchal-Malakjiri District 500090
12. Sri M. Ramakishan, S/o. Late Sri M, Jagadeswar, Aged about 60 years, Occupation. Retd. SOD. HMDA, Mythivanam, Ameerpet, Hyderabad.
13. Sri M. Srinivas, S/o. Late Sri M. Jagadeswar, Aged about 55 years, Occupation. Divisional Panchayat Officer, at Bansuwada, Kamareddy District,
14. Sri M. Praveen, S/o. Late Sri M. Jagadeswar, Aged about 53 years, Occupation. Business, R/o. Plot No.23, Bangloor, Bangloor Village Raod, Adibatta, Municipality, Rana Reddy District - 501510,
15. Sri M. Sujatha, W/o. Sri Late M. Shivakumar, Aged about 48 years, Occupation. House wife, R/o. H.No.3-5-113, Yellareddy Mandal, Kamareddy District- 503122.
16. Smt. Jangani Swaroopa, W/o. Sri Rathnaiah, Aged about 30 years, Occupation. Housewife, Rudraram Village, Yellareddy Mandate Kamareddy District- 503122.
17. Sri Baiguni Malavva, W/o. Sailu, Aged about 40 years, Occupation. Housewife, Rudraram Village, Yellareddy Mandal, Kamareddy District- 503122.
18. Sri Baiguni Venkati, S/o. Sangaiah, Aged about 43 years, Occupation. Agriculturist, Rudraram Village, Yellareddy Mandal, Kamareddy District- 503122.

...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 writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the fourth Respondent in not conducting enquiry and not passing orders in as per the directions of the second Respondent District Collector vide his Letter NOD2 /981/2018-08, dated 15.02.2020 preceded by the directions of the Chief Commissioner of Land Administration of the State of Telangana bearing No.CCLAs Ref.No.R0R-11/887/2019, dated 21.01.2020 to immediately implement the Compromise Decree in O.S.No.661/1988 dated 01.09.1988 passed by the then Subordinate Judge at Bodhan, as illegal, arbitrary, biased, violative of Articles 14, 21 and 300-A of the Constitution of India, and to

further direct the fourth Respondent to forthwith implement the Compromise Decree in O.S.No.66/1988, dated 01-09-1988 passed by the then subordinate Judge at Bodhan in the Revenue Record of Rights maintained by him.

I.A. 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 direct the fourth Respondent to forthwith implement the Compromise Decree on 01.09.1988 passed in O.S.No.66 of 1988 by the then Subordinate Judge at Bodhan, in pursuance of the direction of the second. Respondents District Collector under his Letter No.D2/981/2018-108, dated 15.02.2020 to conduct enquiry to implement the aforesaid Compromise Decree and to intimate the action taken report.

Counsel for the Petitioner: SRI G.SRINIVAS
Counsel for the Respondent Nos.1 TO 4: GP FOR REVENUE
Counsel for the Respondent No.5: SRI K.S.SUNEEL
Counsel for the Respondent No.6: SRI VIJAY B PAROPKARI
Counsel for the Respondent Nos.7 TO 18: --

W.P.NO: 20193 OF 2021

Between:

Mustyala Sudhakar, S/o.Venkat Ramaiah, Aged about 66 Years,
 Occ.Agriculture, R/o.Yellareddy Village and Mandal, Kamareddy District.

...PETITIONER

AND

1. The State of Telangana, Rep by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The Special Tribunal, Collector and District Magistrate, Kamareddy District.
3. The Revenue Divisional Officer, Yellareddy Division, At Yellareddy.
4. The Tahasildar, Nagireddypet Mandal, At Nagireddypet.
5. M.Ashok. Kumar, S/o.Venkat Ramaiah, Aged about 66 Years,
 Occ.Agriculture, R/o. I-I.No.12-10-664, Indira Nagar, Road No.2, Warasiguda,
 Secundrabad.
6. Mustyala Ramesh, S/o.Venkat Ramaiah, Aged about 67 Years,
 Occ.Agriculture,
7. Mustyala Pradhakar, S/o.Venkat Ramaiah, Aged about 65 Years,
 Occ.Agriculture,

8. Mustyala Gangadhar, S/o.Venkat Ramaiah, Aged about 63 Years, Occ.Agriculture,
9. Mustyala Sujatha, W/o.Late.M.Shiva Kumar, Aged about 52 Years, Occ.Agriculture,
10. Mustyala Santosh, S/o.Venkat Ramaiah, Aged about 57 Years, Occ.Agriculture, Respondent No.6 to 10 are R/o.Yellareddy Village and Mandal, Kamareddy District.
11. Musthyala Manohar S/o. Late M. Venkat Ramaiah, Aged about 70 years, Occ:Agriculture, H.No.1-6-35, Sirsilla Road, Kamareddy, Kamareddy District, Telangana State.

(R 11 is impleaded as per C.O. dt. 8/10/2022 in I.A. No. 3/2021.)

...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, order or direction more particularly a writ in the nature of Mandamus declaring the action of the respondents more particularly that of respondent No.2 in passing the impugned order dated 16-06-2021 in Case No.D2/72/2021 (New) D2/1486/19 (Old) is challenged in this Writ Petition as being arbitrary, illegal and violative of Articles 14, 19 (1) (g), 21 and 300-A of the Constitution of India and consequently set aside the orders passed by the respondent No.2.

I.A. NO: 1 OF 2021

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 more particularly respondent No.2 to keep the proceedings of the impugned order dated 16-06-2021 in Case No.D2/72/2021 (New) D2/1486/19 (Old) in relation to the subject land in abeyance.

I.A. NO: 4 OF 2021

Between:

Sri Musthyala Ashok Kumar, S/o. Late Sri M.Venkat Ramaiah, Aged about 62 Years, Occ.Retd. bank Officer, R/o. H.No.12-10-664, Indira Nagar, Road No.2, Warasiguda, Secundrabad- 500061.

...PETITIONER/RESPONDENT No.5

AND

1. Mustyala Sudhakar, S/o. Late Sri M.Venkat Ramaiah, Aged about. 68 Years, Occ.Business, R/o. H.No.3-1-9, Yellareddy Mandal, Kamareddy District-503122.

...PETITIONER

2. The State of Telangana, Rep by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
3. The District Collector, Kamareddy District.
4. The Revenue Divisional Officer, Yellareddy Division, Kamareddy District.
5. The Tahasildar, Nagireddiypet Mandal, Kamareddy District.
6. Sri M.Ramesh, S/o. Late M.Venkat Ramaiah, Aged about 72 Years, Occ.Business, R/o. H.No.3-5-113, Yellareddy Mandal, Kamareddy District-503122.
7. Sri. M.Pradhakar, S/o. Late Sri M.Venkat Ramaiah, Aged about 67 Years, Occ.Business, R/o. H.No.3-5-113, Yellareddy Mandal, Kamareddy District-503122.
8. Sri M.Gangadhar, S/o. Late Sri M.Venkat Ramaiah, Aged about 65 Years, Occ.Business, R/o. H.No.3-5-113, Yellareddy Mandal, Kamareddy District-503122.
9. Smt. Mustyala Sujatha, W/o. Late M.Shiva Kumar, Aged about 52 Years, Occ.Agriculture, Yellareddy Mandal, Kamareddy District- 503122.
10. Sri M.Santosh, S/o. Late Sri M.Venkat Ramaiah, Aged about 57 Years, Occ.Employee, R/o. H.No.3-5-113, Yellareddy Mandal, Kamareddy District-503122.
11. Musthyala Manohar S/o. Late M. Venkat Ramaiah, Aged about 70 years, Occ.Agriculture, H.No.1-6-35, Sirsilla Road, Kamareddy, Kamareddy District, Telangana State.

(R 11 is impleaded as per C.O. dt. 8/10/2022 in I.A. No. 3/2021.)

...RESPONDENTS/RESPONDENTS

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 Vacate the orders of Status - Quo dated 09/09/2021 in I.A.No.1 of 2021 in W.P.No.20193 of 2021.

Counsel for the Petitioner: SRI VIJAY B PAROPAKARI
Counsel for the Respondent Nos.1 TO 4: GP FOR REVENUE
Counsel for the Respondent No.5: SRI KOLIPAKA LAKSHMAN
Counsel for the Respondent No.11: SRI V.GANESH BHUJANGA RAO

W.P.NO: 21233 OF 2021**Between:**

Sri Muthyala Ashok Kumar, S/o. Late Sri M Venkat Ramaiah, Aged about 62 years, Occupation. Retd. Bank Officer, R/o. H.No.12-10-664, Indiranagar, Warasiguda, Secunderabad - 500061.

...PETITIONER

AND

1. The State of Telangana, represented by the Principal Secretary, Revenue, Registration, and Stamps Department, State Secretariat, at Hyderabad.
2. The District Collector, Kamareddy District.
3. The Revenue Divisional Officer, Yellareddy Divisional, Kamareddy District
4. The Tahsildar, Yellareddy Tahsildar, Kamareddy District.
5. Sri Muthyala Manohar, S/o. Late Sri M Venkat Ramaiah, Aged about 70 years, Occupation. Agriculturist, R/o. H.No.1-6-36, Sirsilla Road, Kamareddy District- 503122
6. Sri Sudhakar @ Sudharshan, S/o. Late Sri M Venkat Ramaiah, Aged about 68 years, Occupation. Business, R/o. H.No.3-1-9, Yellareddy Mandal, Kamareddy District- 503122
7. Sri M.Ramesh, S/o. Late Sri M.Venkat Ramaiah, Aged about 72 years, Occupation. Business, R/o. H.No.3-5-1 13, Yellareddy Mandal. Kamareddy District- 503122.
8. Sri M.Prabhakar, S/o. Late Sri M.Venkat Ramaiah, Aged about 67 years, Occupation. Business, R/o. H.No.3-5-113, Yellareddy Mandal. Kamareddy District- 503122
9. Sri M.Gangadhar, S/o. Late Sri M.Venkat, Aged about 65 years. Occupation. Business, R/o. H.No.3-5-113, Yellareddy Mandal, Kamareddy District- 503122
10. Sri M.Santhosh, S/o. Late Sri M.Venkat Ramaiah, Aged about 57 years, Occupation. Employee, R/o. H.No.3-5-113, Yellareddy Mandal, Kamareddy District- 503122.

...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 writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the fourth Respondent Tahsildar in illegally allowing the registration of the gift deeds fraudulently fabricated by the seventh Respondent in respect of the undivided joint family properties of the Petitioner and the Respondents 5 to 10 herein, without absolute title and exclusive possession, and

without partition or such other family arrangement among them, as illegal, arbitrary, biased, violative principal of natural justice and Articles 14, 21 and 300-A of the Constitution of India, and to further direct to the fourth Respondent to not to register the gift deeds fraudulently presented by the seventh Respondent in respect of their joint family properties for registration, beyond his title and possession.

I.A. NO: 1 OF 2021

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 fourth Respondent not to register the gift deeds fraudulently fabricated and presented for registration by the seventh Respondent in respect of the joint family properties of the Petitioner and the Respondents 5 to 10, without partition or such other family arrangement and without absolute title and exclusive possession.

Counsel for the Petitioner: SRI KOLIPAKA LAKSHMAN
Counsel for the Respondent Nos.1 TO 4: GP FOR REVENUE
Counsel for the Respondent No.5: SRI V.GANESH BHUJANGA RAO
Counsel for the Respondent No.6: SRI AKKAM ESHWAR
Counsel for the Respondent No.8: SRI VIJAY B PAROPKARI

W.P.NO: 26284 OF 2021

Between:

Sri Musthyala Ashok Kumar, S/o. Late Sri M Venkat Ramaiah, Aged about 62 years, Occupation. Advocate, R/o. H.No.12-10-664, Indiranagar, Warasiguda, Secunderabad - 500061.

...PETITIONER

AND

1. The State of Telangana, Represented by its Principal Secretary, Revenue Department, Secretariat, at Hyderabad.
2. The Special Tribunal, Collector and District Magistrate, Kamareddy District.
3. The District Collector, Kamareddy District.
4. The Revenue Divisional Officer, Yellareddy Division, Yellareddy, Kamareddy District.
5. The Tahsildar of Nagireddypet Mandal, Kamareddy District.
6. The Tahsildar of Yellareddy Mandal, Kamareddy District.

7. Sri Muthyala Manohar, S/o. Late Sri M Venkat Ramaiah, Aged about 70 years, Occupation. Agriculturist, R/o. H.No.1-6-36, Sirsilla Road, Kamareddy District- 503122.
8. Sri Musthyala Sudhakar @ Sudarshan, S/o. Late Sri M Venkat Ramaiah, Aged about 68 years, Occupation. Business, R/o. H.No.3-1-9, Yellareddy Mandal, Kamareddy District- 503122.
9. Sri M. Ramesh, S/o. Late Sri M Venkat Ramaiah, Aged about 72 years, Occupation. Business, R/o. H.No.3-5-113, Yellareddy Mandal, Kamareddy District- 503122.
10. Sri M. Prabhakar, S/o. Late Sri M Venkat Ramaiah, Aged about 67 years, Occupation. Business. R/o. H.No.3-5-113, Yellareddy Mandal, Kamareddy District- 503122.
11. Sri M. Gangadhar, S/o. Aged about 65 years, Occupation. Business, R/o. H.No.3-5-113, Yellareddy Mandal, Kamareddy District- 503122.
12. Smt. Musthyala Sujatha, W/o. Late Sri M. Shiva Kumar, Aged about 52 years, R/o. H.No.3-5-113, Occupation. Agriculture, Yellareddy Mandal, Kamareddy District- 503122.
13. Sri M. Santhosh, S/o. Late Sri M Venkat Ramaiah, Aged about 57 years, Occupation. Employee, R/o. H.No.3-5-113, Yellareddy Mandal, Kamareddy District- 503122.

...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 writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the fifth Respondent Tahsildar in not implementing the directions passed by the second Respondent: Special Tribunal under their Orders dated 16/06/2021 in Case No.D2/72/2021 corresponding to old Appeal Case No.D2/1486/2019 for the implementation of the Compromise Decree dated 07/09/1988 in O.S.No.66 of 1988, passed by the then Subordinate Judge of Bodhan, in the Revenue Records of Rights maintained by the fifth Respondent Tahsildar, and further direct the fifth Respondent Tahsildar to honour and implement the directions of the second Respondent Special Tribunal under their Orders dated 16/06/2021 in Case No.D2/72/2021 corresponding to old Appeal Case No.D2/1486/2019 for the implementation of the Compromise Decree dated 07/09/1988 in O.S.No.66 of 1988 passed by the then Subordinate Judge of Bodhan, in its true letter and spirit.

I.A. NO: 1 OF 2021

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 fifth Respondent Tahsildar to honour and implement the directions of the second Respondent Special Tribunal under their Orders dated 16/06/2021 in Case No.D2/72/2021 corresponding to old Appeal Case No.D2/1486/2019 for the implementation of the Compromise Decree dated 07/09/1988 in O.S.No.66 of 1988 passed by the then Subordinate Judge of Bodhan. in its true letter and spirit.

I.A. NO: 2 OF 2021

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 5th and 6th Respondents to not to entertain any documents of alienations presented by the Respondents 7 to 13 herein taking undue advantage of fraudulent mutations made earlier to avoid the implementation of the Compromise Decree dated 07/09/1988 in O.S.No.66 of 1988 passed by the then Subordinate Judge of Bodhan, despite several directions from the second Respondent and third Respondent authorities from time to time.

Counsel for the Petitioner: SRI KOLIPAKA LAKSHMAN
Counsel for the Respondent Nos.1 TO 6: GP FOR REVENUE
Counsel for the Respondent No.7: SRI V.GANESH BHUJANGA RAO
Counsel for the Respondent No.10: SRI VIJAY B PAROPKARI
Counsel for the Respondent Nos.8, 9, 11 TO 13: --

WP.NO: 13645 OF 2025**Between:**

Musthyala Manohar, S/o. Late Venkatramaiah, aged about 75 years, Occ. Farmer, R/o. H.No 1-6-35, Sircilla Road, Kamareddy District. PIN 503111, Telangana State

...PETITIONER**AND**

1. The State of Telangana, Rep. by its Principal Secretary to Government, Revenue Department, Secretariat Building, Saifabad, Hyderabad.
2. The District Collector, Kamareddy District, Kamareddy, Telangana State.

3. The Additional Collector(R), Kamareddy District, Kamareddy, Telangana State.
4. The Revenue Divisional Officer, Yellareddy, Kamareddy District, Telangana State.
5. The Tahsildar, Yellareddy, Kamareddy District, Telangana State.
6. Sri. Musthyala Ashok Kumar, S/o. Late. Venkatramaiah aged about 66 years, Retd Employee. R/o. H.No 12-10-664, Road No-2, Warasiguda, Secunderabad. PIN 500061.
7. Sri. Musthyala Sudhakar @Sudarshan, S/o Late Venkatramaiah, aged about 68 years, Occu. Business, R/o. H.No 3-1-9 Satelli Base, Yellareddy, Kamareddy Dist. PIN 503122.
8. Sri. Musthyala Ramesh, S/o Late Venkatramaiah aged about 72 years, Occu. Business. H.No 3-5-113, Yellareddy, Kamareddy Dist. PIN 503122.
9. Sri. Musthyala Prabhakar, S/o Late Venkatramaiah aged about 72 years, Occu. Business, R/o. H.No 3-5-113, Yellareddy, Kamareddy Dist. PIN 503122.
10. Sri. Musthyala Gangadhar, S/o Late Venkatramaiah aged about 70 years, Occ. Business, R/o. H.No 3-5-113, Yellareddy, Kamareddy Dist. PIN 503122.
11. Sri. Musthyala Shiva Kumar, (Died).
12. Sri. Musthyala Santosh Kumar, S/o Late Venkatramaiah, aged about 60 years, Occ. Govt Employee, R/o. H.No 3-5-113, Yellareddy, Kamareddy Dist. PIN 503122
13. Smt. Jangani Swarupa, W/o. Rathnaiah, aged about 45 Years, Occ. Housewife, R/o. Rudraram Village, Yellareddy Mandal, Kamareddy District.
14. Sri. Bayagoni Venkati, S/o. Sangaiah, Aged about 45 Years, Occ. Agriculturist. R/o. Rudraram Village, Yellareddy Mandal, Kamareddy District.
15. Smt. Bayagoni Mallaiah @ Mallawa, W/o. Sailou, aged about 45 Years, Occ. Agriculturist, R/o. Rudraram Village, Yellareddy Mandal, Kamareddy District.

...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 an appropriate writ, order or direction more particularly in the nature of Writ of MANDAMSU declaring the impugned order dated 26-03-2025 in Proc. No. D2/425/2025-01 passed by the Addl. Collector (R), Kamareddy - 3rd Respondent herein received on 12-04-2025 is illegal, arbitrary, unjust, and without authority of law, ultravires, and unconstitutional and without any substantia reasons for which the order is also not liable for an appeal as required under section 15(5) of the newly introduced Act i.e. The Telangana Bhu Bharati (Record of Rights in Land) Act, 2024 (Act No. 1 of 2025) and also violative of principles of natural justice and

consequently set aside the said order while issue e-PPB to the Petitioner for mutation as per representation dated 15-04-2025 filed before the 3rd Respondent.

I.A. NO: 1 OF 2025

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 Impugned order dated 26-03-2025 in Proc. No. D2/425/2025-01 received on 12-04-2025 passed by the Addl. Collector (R). Kamareddy - 3rd Respondent herein while considering the representation filed by the Petitioner dated 15-04-2025 before the 3rd Respondent.

Counsel for the Petitioner: SRI GANESH BHUJANGA RAO VADDURI
Counsel for the Respondent Nos.1 TO 5: GP FOR REVENUE
Counsel for the Respondent No.6: SRI G.SRINIVAS
Counsel for the Respondent Nos.7, 14 & 15: SRI AKKAM ESHWAR
Counsel for the Respondent No.13: SRI B.MURALIDHAR
Counsel for the Respondent Nos.8 TO 12: --

The Court made the following: COMMON ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA AT
HYDERABAD**

HON'BLE SRI JUSTICE LAXMI NARAYANA ALISHETTY

**WRIT PETITION Nos.15329 of 2020, 20193, 21233 and 26284 of 2021
and 13645 of 2025**

Dated:26.03.2026

WRIT PETITION No.15329 OF 2020

Between:

Muthyala Ashok Kumar

...Petitioner

And:

*The State of Telangana,
reptd., by Principal Secretary,
Revenue, Registration and Stamps
Department, Hyderabad and
17 others.*

... Respondents

COMMON ORDER:

The issues involved in all the Writ Petitions are interconnected and the basis of the pleadings and the relief sought for in all the Writ Petitions are intrinsically interlinked to the preliminary decree, dated 07.09.1988, passed in OS.No.66 of 1988. As the genesis of all the Writ Petitions is one and the same, all the Writ Petitions are heard together and are being disposed of by common order.

2. For convenience and to avoid confusion, the parties are hereinafter referred to as they are arrayed in the said suit.

3. The admitted facts of the case are that originally Musthyala Venkatramaiah was owner of different extents of lands in different Survey numbers in various Villages; that he had four wives and ten sons; that after the demise of the said M.Venkatramaiah, his legal heirs have filed suit in OS.No.66 of 1988 on the file of Sub-Ordinate Judge, Bodhan, seeking partition of the suit schedule properties; that the plaintiffs and defendants filed a compromise petition before the trial Court, basing on the same, preliminary decree dated 07.09.1988 was passed.

Writ Petition No.15329 of 2020

4. Writ Petition No.15329 of 2020 is filed to issue a writ of *Mandamus* declaring the inaction of respondent No.4-Tahsildar, Yellareddy in conducting enquiry and passing orders as per the directions of respondent No.2-Collector vide his letter No.D2/981/2018-108, dated 15.02.2020, which is preceded by the directions of the Chief Commissioner of Land Administration of the State of Telangana (for brevity, hereinafter referred to as 'CCLA') bearing No.CCLA's Ref.No.ROR-II/887/2019, dated 21.01.2020, to implement the

compromise decree in O.S.No.66 of 1988 dated 07.09.1988 passed by the Subordinate Judge at Bodhan, as illegal and arbitrary and for consequential relief.

5. In the writ affidavit, it is averred that on an application of the plaintiffs in the said suit, the Tahsildar issued orders of mutation dated 02.02.1989, in respect of the suit schedule properties. While so, aggrieved by non-implementation of the mutation orders in the revenue records, such as ROR registers, etc., all the plaintiffs and defendants in the suit-OS.No.66 of 1988, made series of representations to respondent No.3-Revenue Divisional Officer, who, addressed letter dated 24.07.1997 to respondent No.4-Tahsildar requesting to issue pattadar passbooks and title deeds in respect of suit schedule properties as per the preliminary decree in OS.No.66 of 1988; that in pursuance thereof, respondent No.4 passed another mutation order dated 07.04.2001, allotting shares to the parties; that plaintiff No.3 filed Revision against the said order before respondent No.3-R.D.O. on the ground that the allotment of shares was made contrary to the preliminary decree; that the said Revision was disposed of remanding the matter to the Tahsildar with a direction to conduct *de nova* enquiry to implement the preliminary decree; that subsequently, on the

representation made by the petitioner herein, the CCLA, vide orders dated 21.01.2020, directed respondent No.4-Tahsildar to immediately examine and take necessary action and to send action taken report; and that in pursuance of the said orders, respondent No.2-District Collector directed respondent No.4 to conduct enquiry and send the action taken report. Aggrieved by the inaction of respondent No.4 in complying with the directions of respondent No.2, i.e., in not conducting enquiry and submitting action taken report, Writ Petition No.15329 of 2020 is filed.

Writ Petition No.20193 of 2021

6. Writ Petition No.20193 of 2021 is filed by plaintiff No.2 to issue a writ of *Mandamus* declaring the action of respondent No.2 in passing the order dated 16.06.2021 in Case No.D2/72/2021 as illegal and arbitrary and consequently to set aside the same.

7. In the writ affidavit filed in support of WPNo.20193 of 2021, the petitioner-plaintiff No.2 averred that plaintiff No.3 filed an application to respondent No.4-Tahsildar mutate his name in respect of his share of land in the suit schedule properties in revenue records, which was rejected vide orders dated 30.07.2019; that questioning the said order, plaintiff No.3 preferred an Appeal, which was rejected, vide order 05.09.2019 on the

ground that it is time barred; that, later, on Revision being filed against the said order, respondent No.2 vide impugned order, dated 16.06.2021, allowed the Revision by observing that if any entries are carried out in revenue records against the terms of the preliminary decree, the same shall be set aside and directed respondent No.4 to strictly comply with the decree passed in OS.No.66 of 1988.

8. Challenging the said order, Writ Petition No.20193 of 2021 is filed principally on the ground that the impugned order was passed by respondent No.3-Special Tribunal without considering the aspects of delay and laches.

Writ Petition No.21233 of 2021

9. Plaintiff No.3 filed Writ Petition No.21233 of 2021 to issue a writ of *Mandamus* declaring the action of respondent No.4-Tahisldar in allowing registration of the gift deeds executed by defendant No.2 in respect of the undivided joint family properties of plaintiff Nos.1 to 3 and defendant Nos.2 to 4 and 6, as illegal and arbitrary.

10. In the writ affidavit, filed in support of WPNo.21233 of 2021, it is *inter alia* averred that when the matter is yet to be implemented in terms of the compromise decree and during the pendency of Writ Petition

No.15329 of 2020 which is filed aggrieved by inaction of the Tahsildar in conducting enquiry and passing orders thereon, defendant No.2, who is entitled to 33.33% share (Ac.0.31 gts) in Sy.No.131 of Gandimasampet Village (which is one of the joint family properties), is trying to fraudulently alienate beyond his entitlement in respect of the joint family properties by way of gift deed and has booked a slot in that regard. That when respondent No.4-Tahsildar has uploaded the same in Dharani Portal, plaintiff No.3 made a complaint to respondent No.2-District Collector requesting to stop the fraudulent registration of the gift deeds, however, alleging that respondent No.4 is trying to allow the registration of the gift deeds by defendant No.2, Writ Petition No.21233 of 2021 is filed.

Writ Petition No.26284 of 2021

11. Writ Petition No.26284 of 2021 is filed to issue a writ of *Mandamus* declaring the inaction of respondent No.5-Tahsildar in implementing the directions passed by Special Tribunal, vide orders dated 16.06.2021 in Case No.D2/72/2021, as illegal and arbitrary and for consequential relief.

Writ Petition No.13645 of 2025

12. Writ Petition No.13645 of 2025 is filed by plaintiff No.1 to declare the order, dated 26.03.2025, vide Proc.No.D2/425/ 2025-01 passed by respondent No.3 as illegal and arbitrary and to set aside the same. By the said impugned order, respondent No.3-Additional Collector has rejected the prayer of plaintiff No.3 to mutate his name in the revenue records and to issue e-pattadar passbooks in his favour in respect of the lands that fell to his share in Sy.Nos.251/U, 257/2 and 257/3 of Jangamayyapalli Village, Yellareddy Mandal, Kamareddy District.

13. Heard learned counsel appearing for the petitioners and learned counsel for the unofficial respondents in all the Writ Petitions. Perused the entire material available on record.

14. Learned counsel for the petitioner in WP.No.15329 of 2020 submitted that the trial Court passed preliminary decree in OS.No.66 of 1988 basing on the deed of compromise entered into between the plaintiffs and defendants. He further submitted that the some of the suit schedule properties were partitioned among the plaintiffs and defendants and some were put in joint possession of the plaintiffs and defendants. He further submitted that the plaintiffs have made number of representations

to the revenue authorities to implement the preliminary decree and to mutate their names in the revenue records, but, no action has been taken in that regard. He further submitted that in spite of specific directions of CCLA, to take necessary action and to submit action taken report, the Tahsildar has not acted upon the same and hence, he prayed to allow the Writ Petition directing the Tahsildar to conduct enquiry and mutate the names in the revenue records in consonance with the preliminary decree.

15. Learned counsel for respondent No.6 submitted that respondent No.2-District Collector or CCLA are not competent to pass proceedings for implementation of the preliminary decree and respondent No.4-Tahsildar is the competent authority to mutate the names of the persons as per the preliminary decree.

16. Learned counsel for the petitioner in WP.No.20193 of 2021 submitted that the application for mutation was filed by plaintiff No.3 after lapse of 31 years from the date of passing of preliminary decree, however, the revisional authority has failed to take note of the said aspect of delay and erred in allowing the Revision and therefore, the impugned order is liable to be set aside.

17. Learned counsel for unofficial respondents in WP.No.20193 of 2021 submitted that the Special Tribunal has rightly observed that the trial Court has passed preliminary decree based on the deed of compromise and as such, the revenue authorities are not empowered to go beyond the said decree, and by holding so, the Special Tribunal has rightly passed the impugned order by directing respondent No.4-Tahsildar to strictly comply with the preliminary decree passed in OS.No.66 of 1988 and that the petitioner has not made out any ground to interfere with the impugned order, hence, WP.No.20193 of 2021 is liable to be dismissed.

18. Learned counsel for the petitioner in WP.No.21233 of 2021 submitted that the preliminary decree passed in OS.No.66 of 1988 specifies some of the suit schedule properties to be in joint possession of the plaintiffs and defendants, however, defendant No.2 is acting contrary to the said decree by trying to alienate more extent of land than his entitlement of the properties which are in joint possession, by way of executing gift deeds in favour of his family members. He further submitted that respondent No.4 who is well aware of the preliminary decree passed in OS.No.66 of 1988, under which shares were allotted to the plaintiffs and defendants therein and also the fact that the said decree

was not implemented fully in the revenue records, is trying to register the fraudulent gift deeds executed by defendant No.2 and hence, the said action of respondent No.4 is illegal and prayed to allow Writ Petition No.21233 of 2021.

19. In this Writ Petition, no arguments were advanced on behalf of respondent No.4-defendant No.2, against whom the relief was sought for and also respondent No.7-defendant No.2 against whom the allegation is made that he is fraudulently trying to alienate the properties more than his entitlement in respect of the properties which are in joint possession of the plaintiffs and the defendants.

20. Learned counsel for petitioner in WP.No.13645 of 2025 submitted that respondent No.3-Additional Collector, Kamareddy, erred in passing the impugned order, dated 26.03.2025, thereby rejecting to mutate the name of plaintiff No.3 in the revenue records and to issue pattadar passbooks in his favour and hence, he sought to set aside the said impugned order.

21. Learned counsel for respondent No.6-plaintiff No.3, referring to the contents of the counter, fairly conceded to allow WP.No.13645 of 2025 and consequently, to remand the matter to respondent No.2-

Collector to pass appropriate orders, after affording opportunity of hearing to all the parties concerned.

Writ Petition No.15329 of 2020

22. Writ Petition No.15329 of 2020 is filed seeking to direct the Tahsildar to pass orders implementing the preliminary decree in OS.No.66 of 1988.

23. Learned counsel for the petitioner submitted that subsequent to filing of Writ Petition No.15329 of 2020, an application for passing of final decree in terms of the preliminary decree, dated 07.09.1988, in OS.No.66 of 1988 is filed and the same is pending.

24. Learned counsel for respondent No.6 submitted that since the preliminary decree was passed in OS.No.66 of 1988 based on the compromise decree, the same has to be treated as a final decree as it specified the entitlement of share/s to each of the parties thereto. In support of his submission, learned counsel for respondent No.6 relied upon the judgment of the Hon'ble Supreme Court in ***Bimal Kumar and another Vs. Shakuntala Debi and others***¹. In the said judgment, the Hon'ble Supreme Court has referred to the judgments rendered in

¹ (2012) 3 SCC 548

Muzaffar Husain Vs. Sharafat Husain² and Raghbir Sahu Vs. Ajodhya Sahu³, wherein it was observed as hereunder:-

“In the present case, the decree was passed on compromise. It was admitted that by the compromise, the properties allotted to the share of each party were clearly specified and schedules of properties allotted to each were appended to the compromise petition. Therefore, no further enquiry was at all necessary. In such circumstances, the decree did not merely declare the rights of the several parties interested in the properties but also allotted the properties according to the respective shares of each party. Therefore, it was not a preliminary decree, but it was the final decree in the suit.”

25. In the present case, admittedly, in the preliminary decree, which was passed based on the compromise petition, only some of the properties were specifically allotted to share of each party and some properties were agreed by the parties to be kept in joint possession, which otherwise means that all the suit schedule properties are not specifically allotted to each party even as per the compromise petition. Therefore, the preliminary decree did not conclusively declare the rights of the parties and the allotment of respective share of each party in respect of all the suit schedule properties. The facts of the present case and the facts of the case

² AIR 1993 Oudh 562

³ AIR 1945 Pat 482

in the aforesaid cited judgments are entirely distinct, as such, the said judgments are not applicable to the case on hand.

26. Undisputedly, the quantum of share of each of the parties will be conclusively determined only after passing of final decree.

27. Hence, the contention of the learned counsel for respondent No.6 that the preliminary decree passed in OS.No.66 of 1988 has to be treated as final decree holds no water and cannot be accepted.

28. Hence, at this stage, this Court is of the opinion that it is not just and proper to direct the Tahsildar to enquire into the matter personally and take necessary action, as per the directions of the District Collector, vide proceedings dated 15.02.2020.

29. Therefore, pending passing of the final decree, Tahsildar, a revenue authority, cannot step into the shoes of the civil Court in executing the preliminary decree and sub-divide the land and allot certain sub-division numbers in favour of the parties to the suit. This action of the Tahsildar amounts to separation of the suit schedule properties by metes and bounds, in the absence of the final decree being passed by competent Court, which is not permissible in law.

30. This view of this Court is fortified by a recent judgment, dated 19.07.2024, of a Division Bench of High Court of Andhra Pradesh in ***Writ Appeal No.552 of 2024 (Araveeti Venkatramana Reddy and others Vs. Yerrabali Venugopal)***, wherein it is held that the revenue authorities cannot step into the shoes of the Court and effectively create a final decree even before such a proceeding is issued by the Court; that the action of the Tahsildar in sub-dividing the land and creating sub-divisions in the revenue records, after which each of the parties were allotted certain sub-division numbers and the land in those sub-divisions were shown to be owned and possessed by such persons, would effectively amount to separation of the property by metes and bounds, is not permissible.

31. Accordingly, Writ Petition No.15329 of 2020 is disposed of directing Tahsildar to consider the representations of the plaintiffs and the defendants and to include the names of the plaintiffs and the defendants entitled thereto, as per the preliminary decree, against the corresponding properties without assigning individual share to any of the parties.

Writ Petition No.20193 of 2021

32. After passing of the preliminary decree, dated 07.09.1988, in OS.No.66 of 1988, till the date of making representation by plaintiff No.2

to mutate his name in the revenue records, which is made 31 years after passing of the said decree, no application was made for passing of the final decree. The application for passing of final decree was filed in the year 2023, vide FDP.No.2 of 2023 on the file of Senior Civil Judge, Kamareddy. Therefore, the individual entitlement/share of each plaintiff and each defendant insofar as properties to be held in joint possession has not been determined, as such, it cannot be said that there is delay on the part of plaintiff No.2 in filing application for mutation.

33. In addition to the above, it is also relevant to note that the Special Tribunal has rightly not adverted to the aspect of delay nor dealt with it and has passed the impugned order only directing the Tahsi dar to strictly comply with the preliminary decree passed in OS.No 66 of 1988. Therefore, the contention of learned counsel for the petitioner that the Special Tribunal erred in not considering the aspect of delay while passing the impugned order is untenable.

34. The petitioner-plaintiff No.2 has failed to point out any illegality or irregularity in the impugned order and hence, Writ Petition No.20193 of 2021, being devoid of merit, is liable to be dismissed.

35. Accordingly, Writ Petition No.20193 of 2021 is dismissed.

Writ Petition No.21233 of 2021

36. During the course of hearing, learned counsel for petitioner, on instructions, submitted that the slot booking for registration of the gift deed has been kept in abeyance, however, defendant No.2 may again approach the Tahsildar for registration of the gift deed, therefore, prayed to pass appropriate orders

37. Taking into account the totality of facts and circumstances of the case and particularly, the fact that the individual shares of each of the plaintiffs and defendants in respect of the properties in joint possession is not yet determined, this Writ Petition is disposed of with a direction to Tahsildar not to entertain gift deed/conveyance deed which may be submitted by the parties in respect of the properties that are in joint possession as per the preliminary decree, unless all the joint owners are parties to such document or individual shares are determined by way of registered partition deed or any other legal process.

Writ Petition No.26284 of 2021

38. This Writ Petition is filed by plaintiff No.3 in OS.No.66 of 1988 seeking a direction to respondent No.5-Tahsildar to implement the orders passed by the Special Tribunal dated 16.06.2021, whereunder the

Tahsildar was directed to strictly comply with the decree passed in OS.No.66 of 1988.

39. In the order dated 16.06.2021, the Special Tribunal observed that if any entries are carried out in the revenue records against the letter and spirit of the decree passed in OS.No.66 of 1988, the same are set aside.

40. None of the parties to the suit-OS.No.66 of 1988 have challenged the decree passed in the said suit. In fact, it was a compromise decree. In the light of the said fact and furthermore, in view of the discussion and the reasons assigned in disposing of Writ Petition No.15329 of 2020, this Writ Petition is liable to be allowed.

41. Accordingly, Writ Petition No.26284 of 2021 is allowed.

Writ Petition No.13645 of 2025

42. It is the case of the petitioner that before passing of the impugned order, he was not served with notice, hence, he could not attend the hearing before the Additional Collector and putforth his case.

43. Learned counsel for the petitioner submitted that the petitioner is being deprived of opportunity of putting forth his case and exhibiting the

relevant documents before the Additional Collector as he was not served with notice, thereby there is clear violation of principles of natural justice.

44. Perusal of the record shows that the impugned order was passed in purported compliance of order dated 29.04.2024 passed by this Court in Writ Petition No.11462 of 2024, which was filed by plaintiff No.3. By the said order, this Court directed the District Collector-respondent No.2 therein to consider the online application submitted by the petitioner therein (plaintiff No.3), for mutation of his name in the revenue records and to issue e-pattadar passbook and title deed in his favour, and pass appropriate orders thereon, in accordance with law, by putting him on notice and afford him an opportunity.

45. Nevertheless, the Additional Collector has failed to issue notice to the petitioner herein i.e., plaintiff No.1, who has also got share in the schedule properties in OS.No.66 of 1988 and the impugned order was passed without affording plaintiff No.1 an opportunity of putting forth his case and producing relevant documents. Obviously, plaintiff No.1 is also one of the affected parties by the impugned order, therefore, it is just and proper that he be served with notice and afforded an opportunity of hearing or putting forth his case before the Additional Collector.

46. It needs no emphasis that principles of natural justice are applicable to all judicial and quasi-judicial proceedings. The rule of issuing notice and affording opportunity is also applicable in purely administrative proceedings and the actions where any public authority passes an order affecting the rights of any individual.

47. But, the same is not followed by the Additional Collector while passing the impugned order and hence, the impugned order is liable to be set aside on the ground of violation of principle of *audi alteram partem*, which is the most important facet of the principles of natural justice.

48. Accordingly, Writ Petition No.13645 of 2025 is allowed and the impugned order dated 26.03.2025 passed by respondent No.3-Additional Collector, vide proceedings No.D2/425/2025-01, is set aside and the matter is remanded to respondent No.3 to pass appropriate orders as provided under law, after giving notice and affording opportunity to the petitioner-plaintiff No.2.

49. Miscellaneous petitions pending, if any, shall stand closed. No costs.

SD/-AHMED ABDULLA KHAN
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Revenue, Registration, and Stamps Department, State Secretariat, at Hyderabad, State of Telangana.
2. The Principal Secretary to Government, Revenue Department, Secretariat Building, Saifabad, Hyderabad, State of Telangana.

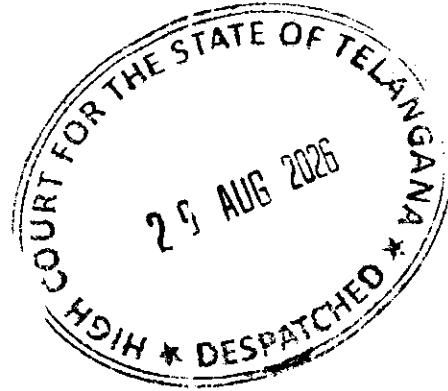
3. The Special Tribunal, Collector and District Magistrate, Kamareddy District.
4. The District Collector, Kamareddy District.
5. The Revenue Divisional Officer, Yellareddy Divisional, Kamareddy District
6. The Tahsildar, Yellareddy Tahsildar, Kamareddy District.
7. The Tahsildar of Nagireddypet Mandal, Kamareddy District.
8. The Additional Collector(R), Kamareddy District, Kamareddy, Telangana State.
9. One CC to SRI B.SHASHIDHAR, Advocate [OPUC]
10. One CC to SRI G.SRINIVAS, Advocate [OPUC]
11. One CC to SRI VIJAY B PAROPKARI, Advocate [OPUC]
12. One CC to SRI K.S.SUNEEL, Advocate [OPUC]
13. One CC to SRI KOLIPAKA LAKSHMAN, Advocate [OPUC]
14. One CC to SRI V.GANESH BHUJANGA RAO, Advocate [OPUC]
15. One CC to SRI AKKAM ESHWAR, Advocate [OPUC]
16. One CC to SRI B.MURALIDHAR, Advocate [OPUC]
17. Two CCs to GP FOR SERVICES, High Court for the State of Telangana, at Hyderabad. [OUT]
18. Two CD Copies

PSK.

GJP

HIGH COURT

DATED: 26/03/2026



COMMON ORDER

**WP.NOS: 15329 OF 2020, 20193, 21233 AND
26284 OF 2021 AND 13645 OF 2025**

**DISPOSING OF THE WP.Nos.15329 OF 2020 AND
21233 OF 2021, DISMISSING THE WP.No.20193 OF
2021 AND ALLOWING THE WP.Nos.26284 OF 2021
AND 13645 OF 2025 WITHOUT COSTS**

(21)
MT
29/8/26