

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

MONDAY, THE TWENTIETH DAY OF JULY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

CIVIL REVISION PETITION NO: 1417 OF 2026

Petition under Article 227 of the Constitution of India, aggrieved by the order dated- 02/02/2026 passed in I.A.No.5 of 2026 in I.A.No.504 of 2025 in O.S.No.168 of 2025, on the file of the court of the I Addl Junior Civil Judge, Vikarabad District, at Vikarabad, dismissing the application filed by the Revision Petitioner/Defendant under Order 26 Rule 9 r/w Section 151 CPC to appoint an advocate commissioner to note down the physical features of the suit schedule properties and to demarcate the boundaries of the said lands with the assistance of a qualified mandal surveyor.

Between:

K. Raghuveera Reddy, S/o Narsi Reddy aged about 49 years, Occ- Business and Politician R/o H.No.1-49, Anthafam Village, Dharur Mandal, Vikarabad District.

...Petitioner/in IA.No.5/2026 /Respondent/Defendant

AND

1. Mohd. Khaleel, S/o Mohd.Sharfuddin aged about 48 years, Occ- Business, R/o Flat No.205, Sajid Plaza, Near Pillar No.191, Upparpally, Hyderabad.
2. Mohd. Begum Habeeb Sattar Sayeed, W/o Mohd. Khaleel aged about 30 years, Occ- House wife R/o Flat No.205, Sajid Plaza, Near Pillar No.191, Upparpally, Hyderabad.
3. Mohd. Adeeb Akthar, S/o Mohd. Khaleel aged about 22 years, Occ- Pvt.Employee R/o Flat No.201, Shanaz Apartments, Masab Tank, Hyderabad.
4. Syed Yaqoob, S/o Syed Yousuf Aged about 44 years, Occ- Business R/o 18-2-26/29, Gm Colony, Falaknuma, Hyderabad.
5. Safoora Fatima, W/o Mohd Abdul Khaleed Aged about 36 years, Occ- House wife R/o. 19-2-70, Boys town, Church Jayamma, Hyderabad.

...Respondents/in IA.No.5/2026/Petitioners/Plaintiffs

I.A. NO: 1 OF 2026

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 grant stay of all further proceedings in O.S.No.168 of 2025, on the file of the court of the I Addl Junior Civil Judge, Vikarabad District, at Vikarabad, pending adjudication of the main Revision petition

Counsel for the Petitioner:

Mr. GURU RAJ JOSHI

Counsel for the Respondents:

**Mr. P.VISHAL KUMAR, AGP for
Prohibition & Excise**

The Court made the following: ORDER

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

THE HON'BLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

DATE: 20.07.2026

CIVIL REVISION PETITION No.1417 OF 2026

Between:

K.Raghuveera Reddy S/o Narsi Reddy
aged about 49 years, Occ:Business and
Politician R/o.H.No.1-49, Antharam
Village, Dharur Mandal, Vikarabad
District

**...Petitioner/Petitioner in I.A.No.5 of 2026/
Respondent/Defendant**

AND

Mohd Khaleel S/o Mohd.Sharfuddin
Aged about 48 years, Occ:Business
R/o Flat No.205, Sajid Plaza, Near
Pillar No.191, Upparpally, Hyderabad
And 3 others.

**...Respondents/Respondents in I.A.No.5 of 2026/
Petitioners/Plaintiffs**

ORDER

This Civil Revision Petition is filed by the petitioner, aggrieved by the order dated 02.02.2026 passed in I.A.No.5 of 2026 in I.A.No.504 of 2025 in O.S.No.168 of 2025 on the file of the learned I Additional Junior Civil Judge, Vikarabad District.

2. Heard Mr.Gururaj Joshi, learned counsel for the petitioner and Mr.P.Vishal Kumar, learned counsel appearing on behalf of the respondents. Perused the material available on record.

3. The petitioner herein filed I.A. No.5 of 2026 under Order XXVI Rule 9 read with Section 151 of the Code of Civil Procedure, seeking the appointment of an Advocate Commissioner to note the physical features of the suit schedule properties of the respondents herein, verify their boundaries, and protect the Government land specifically situated in Sy.Nos.32 and 82 by demarcating the boundaries of the said lands, the adjoining roads, and the lands abutting thereto, with the assistance of the Mandal Surveyor. After hearing both sides, the trial Court dismissed the I.A. by passing the following order:

"In the present suit, Respondent/petitioner/plaintiff has approached the court for perpetual injunction and the allegation of the Petitioner/Respondents/Defendant are alleging that the respondents are encroaching upon the government lands which are adjacent to the suit schedule property thereby seeking appointment of advocate commissioner for noting down the physical features. However, the court is opined that since the suit is for perpetual injunction the appointment of advocate commissioner for noting down the physical features beyond the suit schedule property would amount to collection of evidence. Also the allegation as to encroachment in the government land involves the question of fact which cannot be determined by the report of

advocate commissioner and also its upto the concerned officials to take action according to the law."

4. The observations of the trial Court cannot be faulted. Further, if the respondents have encroached upon any Government land, it is for the Government to initiate appropriate action in accordance with law. Such an issue is in no way connected with or relevant to the petitioner herein. Moreover, the petitioner herein himself stated that, he is not carrying out any excavation work in the respondents' suit schedule property.

5. In the above circumstances, this Court finds no reason to interfere with the order passed by the learned trial Court.

6. Accordingly, the Civil Revision Petition is dismissed. There shall be no order as to costs.

As a sequel, miscellaneous applications pending, if any, in this Civil Revision Petition, shall stand closed.

**SD/- B. REKHA RANI
ASSISTANT REGISTRAR**

//TRUE COPY//

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SECTION OFFICER

To,

1. The I Addl. Junior Civil Judge, Vikarabad District, at Vikarabad,
2. One CC to Mr. GURU RAJ JOSHI Advocate [OPUC]
3. One CC to Mr. P.VISHAL KUMAR, AGP for Prohibition & Excise [OPUC]
4. Two CD Copies

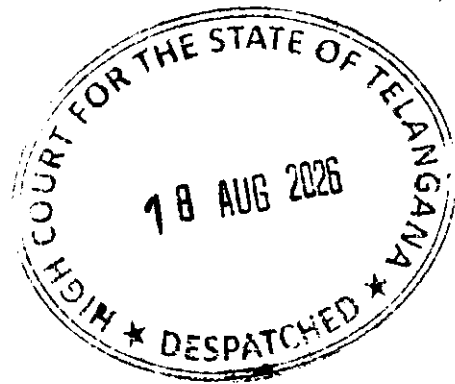

RC/GNK

HIGH COURT

DATED: 20/07/2026

ORDER

CRP.No.1417 of 2026



The CRP is Dismissed.

GNT
17/15/26