

[3384]

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

MONDAY, THE SEVENTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE ANIL KUMAR JUKANTI

**WRIT PETITION NO: 23584 OF 2014
AND
WRIT PETITION NO: 14118 OF 2020**

WP.No.23584 of 2014

Between:

The Grama Panchayath, Ananthagiri(V), Kodada Mandal, Nalgonda District, Rep by its Sarpanch Venepally Sarojini, W/o Venkateshwar Rao

...Petitioner

AND

1. The State of Telangana, rep by its Principal Secretary, Department of Irrigation, Secretariat, Hyderabad.
2. The State of Telangana, Represented by its Secretary, Department of Revenue, Secretariat, Hyderabad.
3. The District Collector, Nalgonda.
4. Revenue Divisional Officer, Suryapet, Nalgonda District.
5. The Tahsildar, Kodada Mandal, Nalgonda District.
6. The Assistant Engineer, Irrigation Department, Kodad Mandal, Nalgonda District.
7. The Superintendent of Police, Nalgonda District.
8. The Station House Officer, Kodad Rural, Nalgonda District.
9. Dega Babu, S/o Kondaiah, Occ Real Estate Business, R/o H.No. 2-132, Ananthagiri Village, Kodada Mandal, Nalgonda District.
10. The District Collector, Suryapet.,

(R10 is Suo motu impleaded as per C.O.dt.17.11.2025.)

...Respondents

WHEREAS the Petitioner above named through its Advocate Sri Kadaru Prabhakar Rao 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 or order or direction, more particularly one in the nature of Writ of Mandamus, declaring the inaction of the respondents No. 1 to 8

in protecting Tirupathi Devi Kunta, Irrigation Water Tank to an extent of Ac. 7.15 guntas in Sy.No.1469 of Ananthagiri Village in Kodad Manda , Nalgonda District, as illegal, arbitrary, contrary to the provisions of A.P. Telangana Area Irrigation Act, A.P. Water, Land, Trees Act and unconstitutional and consequently issue directions, directing

- i) Respondents 1 to 6 to protect Tirupathi Devi Kunta, Irrigation Water Tank to an extent of Ac.7.15 guntas in Sy.No.1469 of Ananthagiri Village in Kodad Mandal, Nalgonda District, from the encroachment of the 9th respondent,
- ii) Respondents 3 to 5 to correct the entries in revenue records and cancel the pattadar pass books and title deeds issued in favour of 9th respondent in respect of Tirupathi Devi Kunta, Irrigation Tank to an extent of Ac.7.15 guntas in Sy.No.1469 of Ananthagiri Village, Kodad Mandal, Nalgonda District and
- iii) respondents 7 and 8 to register a Crime/ FIR against the 9th respondent for encroaching a partial demolition of the tank bund and partial filling up of the public irrigation water tank;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Kadaru Prabhakar Rao, Advocate for the Petitioner, GP for Irrigation, for the Respondent Nos.1 & 6, GP for Revenue, for the Respondent Nos.2 to 5, GP for Home, for the Respondent Nos.7 & 8 directed issue of notice to the Respondent No.10 herein to show cause as to why this WRIT PETITION should not be admitted.

WP NO: 14118 OF 2020

Between:

Sri Degababu, S/o Sri Kondaiah

...Petitioner

AND

1. The State of Telangana, Represented by its Principal Secretary (Revenue) Burgula Ramakrishna Rao Bhavan Hyderabad
2. The District Collector, Suryapet District
3. Revenue Divisional Officer, Kodada , Suryapet District
4. Tahsildar, Ananthagiri Mandal, Suryapet District
5. Dy. Executive Engineer (I&B) Sub Division, Irrigation Department, Kodada Kodada division Suryapet District
6. Asst. Engineer (IB) Sub Division, Irrigation Department Kodada Division, Suryapet District
7. The Grama panchayat, Ananthagiri Village and Mandal Suryapet District Represented by its Sarpanch
8. The District Collector, Suryapet.

(R8 is Suo motu impleaded as per C.O.dt.17.11.2025.)

...Respondents

WHEREAS the Petitioner above named through his Advocate T S Praveen Kumar 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 in nature of Mandamus by declaring the action of the Respondents in trying to fix the FTL of Thirupathidevi Kunta which is in Sy. No. 1470, Ananthagiri village, Kodada Mandal, Suryapet District, by extending the FTL into Petitioner's land without any registered revenue record or village map thereof either with the Irrigation Department or with the Revenue Authorities and without considering the objections filed on behalf of the Petitioner dated 01-08-2020 as illegal, arbitrary, colourable exercise of power, violation of Article 14 and 300A of Constitution of India and consequently restrain the Respondents from interfering or removing Protective barricade in the land belonging to the Petitioner in Sy. No. 1469, Ananthagiri Village and Mandal, Suryapet District admeasuring Ac.4-00 gts;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri T S Praveen Kumar, Advocate for the Petitioner, GP for Revenue, for the Respondent Nos.1 to 4, GP for Irrigation, for the Respondent Nos.5 & 6 directed issue of notice to the Respondent No.8 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

The District Collector, Suryapet.

are directed to show cause on or before **01.12.2025** 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.

The Court made the following: ORDER

W.P.No.23584 of 2014 is filed with the following prayer:

"...to issue a Writ or order or direction, more particularly one in the nature of Writ of Mandamus, declaring the inaction of the respondents No. 1 to 8 in protecting Tirupathi Devi Kunta, Irrigation Water Tank to an extent of Ac. 7.15 guntas in Sy.No.1469 of Ananthagiri Village in Kodad Mandal, Nalgonda District, as illegal, arbitrary, contrary to the provisions of A.P. Telangana Area Irrigation Act, A.P. Water, Land, Trees Act and unconstitutional and consequently issue directions, directing -- i) Respondents 1 to 6 to protect Tirupathi Devi Kunta, Irrigation Water Tank to an extent of Ac.7.15 guntas in Sy.No.1469 of

Ananthagiri Village in Kodad Mandal, Nalgonda District, from the encroachment of the 9th respondent, ii) Respondents 3 to 5 to correct the entries in revenue records and cancel the pattadar pass books and title deeds issued in favour of 9th respondent in respect of Tirupathi Devi Kunta, Irrigation Tank to an extent of Ac.7.15 guntas in Sy.No.1469 of Ananthagiri Village, Kodad Mandal, Nalgonda District and iii) respondents 7 . and 8 to register a Crime/ FIR against the 9th respondent for encroaching a partial demolition of the tank bund and partial filling up of the public irrigation water tank."

W.P.No.14118 of 2020 is filed with the following prayer:

"...to issue a Writ, Order or Direction more particularly in nature of Mandamus by declaring the action of the Respondents in trying to fix the FTL of Thirupathidevi Kunta which is in Sy. No. 1470, Ananthagiri village, Kodada Mandal, Suryapet District, by extending the FTL into Petitioners land without any registered revenue record or village map thereof either with the Irrigation Department or with the Revenue Authorities and without considering the objections filed on behalf of the Petitioner dated 1-8-2020 as illegal, arbitrary, colourable exercise of power, violatition of Article14 and 300A of Constitution of India and consequently restrain the Respondents from interfering or removing Protective barricade in the land belonging to the Petitioner in Sy. No. 1469, Ananthagiri Village and Mandal, Suryapet District admeasuring Ac.4-00 gts and be pleased to pass".

It is observed from the record that Gram Panchayat filed W.P.No.23584 of 2014 submitting that Tirupathi Devi Kunta, situated in Ananthagiri Village, Kodada Mandal, Nalgonda district, has been in existence since time immemorial and is used for the purpose of drinking

water and for irrigating the agricultural lands belonging to the SC community. That the Tank is spread in an extent of Ac.7.15 guntas in Survey No.1467 of Anantagiri Revenue village.

It is the case of Gram Panchayat that surrounding lands have been converted into residential and commercial plots and that an engineering college by name Anurag Engineering College has been established on the Southern side of the Tank.

Be that as it may, these are the factual aspects which can be gone into by the concerned authorities, upon a report submitted by an appropriate authority.

Learned counsel for respondent No.9 (petitioner in W.P.No.14118 of 2020) submitted that official respondents and petitioner are trying to show the properties pertaining to respondent No.9, as though, they are the properties under the Tank, which do not fall within the perimeter or limits of the Tank. It is further submitted that there is a State Highway Road running between the land of respondent No.9 and the Tank, that the land of respondent No.9 is on the other side of the road. That by any stretch of imagination, the said lands of respondent No.9 cannot be considered under the perimeter of the Tank.

Learned counsel for respondent No.9 further submitted that it is because of the vengeance attitude of third parties, petitioner has come up with the present set of allegations. Learned counsel tried to impress upon this Court by drawing the attention of this Court to the averments made at paragraph No.3 of the writ affidavit in W.P.No.14118 of 2020 and stated that the legislative member of the constituency has started harassing respondent No.9.

Having perused the record and considering the submissions made, this Court is of the opinion that District Collector, Suryapet District, be directed to submit a comprehensive report to the Court in a sealed cover by conducting an independent enquiry on the entire subject matter.

This Court deems it appropriate that District Collector, Suryapet, be impleaded suo motu as a party respondent (Order I Rule 10, sub-rule(2) of C.P.C. r/w. Writ Rules, 2024) in these writ petitions.

Hence, Registry is directed to carry out necessary corrections in the cause title.

Issue notice to the suo motu impleaded respondent i.e., District Collector, Suryapet.

Post these matters on 01.12.2025.

SD/-M.NAGAMANI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The District Collector, Suryapet, Suryapet District.(by SPAD- along with a copy of petition and Affidavit)
2. One CC to Sri Kadaru Prabhakar Rao, Advocate [OPUC]
3. One CC to Sri T.S Praveen Kumar, Advocate [OPUC]
4. Two CCs to GP For Home, High Court at Hyderabad. [CUT]
5. Two CCs to GP For Irrigation, High Court at Hyderabad. [OUT]
6. Two CCs to GP For Revenue, High Court at Hyderabad. [OUT]
7. One spare copy

SP

HIGH COURT

JAK,J

DATED:17/11/2025

NOTE: POST THESE MATTERS ON 01.12.2025

NOTICE BEFORE ADMISSION



**WP.No.23584 of 2014
AND
WP.No.14118 OF 2020**

DIRECTION