

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE EIGHTEENTH DAY OF JULY

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 16433 OF 2024

Between:

1. Smt. Thaduri Swarnalatha, W/o. Late Somi Reddy
2. Sri. Thaduri Srinivas Reddy, S/o. Sri Somi Reddy

...Petitioners

AND

1. The State of Telangana, Rep. By its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The Special Tribunal, Yadadri Bhuvanagari District.
3. The Revenue Divisional Officer, Bhongir Division, Ranga Reddy District
4. The Tahsildar, Mothkur Mandal, Yadadri Bhuvanagari District.
5. G. Lakshmi, D/o Veeriah Room No.238, Juned Nagar, S.V Road, Near Costa Coffee Anderi West Mumbai, Maharastra - 400058.
6. V. Ramulamma, D/o Veeriah, H. No 6-56, Pallerla Village, Athmakur (M), Mandal.
7. Ch. Nagamma, D/o Veeriah, New Shivaji Nagar, Kapaswadi, Versova Link Road, J.V. P. D Bus Depot, Anderi West Azad Nagar, Maharastra - 400053.
8. K. Krishnamma, D/o Veeriah, H. No. 1-5-70, New Maruthi Nagar, Kothapet, Maruthi Nagar, Saroomagar, Telanagana -500035.

...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 Certiorari calling for the records pertaining to proceedings of the respondent no.2 in case no.F2/2779/2023, dt. 10/04/2024 and quash the same by allowing the petitioners appeal further to set-aside the proceedings no. ROR/1612/2010, dt.23/03/2010, and all consequential entries made by virtue of these proceeding, including Dharani , as being arbitrary, illegal, unconstitutional and violative of Principles of natural justice and consequently directing to restore the revenue entries as were in existence prior to proceeding of ROR/1612/2010, dt.23/03/2010 .

IA NO: 1 OF 2024

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 stay the entries made in revenue records pursuant to the orders proceedings no.ROR/1612/2010, dt.23/03/2010 in respect of the land bearing Sy.No.569 admeasuring Ac.2-00 gts and Sy.No.557 admeasuring Ac.4-00 gts total admeasuring Ac.6-00 gts situated at Mothkur Revenue Village and Mandal, Yadadri-Bhongir District, pending disposal of WP.No.16433 of 2024, 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. D. JAIPAL REDDY Advocate for the Petitioners and GP FOR REVENUE for the Respondent Nos.1 to 4, the Court made the following.

ORDER:

In compliance with the order dated 27.06.2024, learned counsel for the petitioners filed proof of service vide USR No.65572 of 2024, dated 18.07.2024 along with the covers returned unserved with the endorsements 'No such person, returned to addressee' in respect of respondents 5 and 6; 'not known, returned to addressee' in respect of respondent No.7 and 'Insufficient address, returned to addressee' in respect of respondent No.8.

Sending notice to the party to the address available is sufficient service in terms of Clause 27 of the General Clauses Act. There is no representation on behalf of respondents 5 to 8.

Prima facie, the impugned order in Case No.F2/2779/2023 in Spl.Tribunal No.F2/303/2023, dated 10.04.2024, is not as per the directions given by this Court in the order dated 03.08.2023 in W.P.No.23394 of 2021.

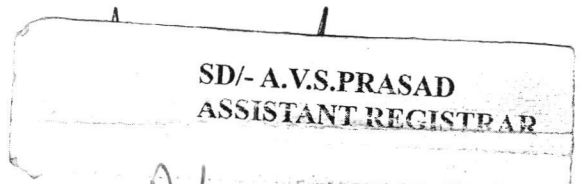
Sri D. Jaipal Reddy, learned counsel for the petitioners, on instructions, would submit that the petitioners are in possession of the subject property.

In view of the above submissions, several grounds and contentions raised by the petitioners can be raised at the time of hearing of the writ petition.

Therefore, both the petitioners and respondents 4 to 8 are directed to maintain status-quo with regard to the subject property in all respects.

List on 12.09.2024.

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SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat, Hyderabad.
2. The Special Tribunal, Yadadri Bhuvanagari District.

3. The Revenue Divisional Officer, Bhongir Division, Ranga Reddy District
4. The Tahsildar, Mothkur Mandal, Yadadri Bhuvanagari District.
5. G. Lakshmi, D/o Veeriah Room No.238, Juned Nagar, S.V Road, Near Costa Coffee Anderi West Mumbai, Maharashtra - 400058.
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8. K. Krishnamma, D/o Veeriah, H. No. 1-5-70, New Maruthi Nagar, Kothapet, Maruthi Nagar, Saroornagar, Telanagana -500035 (RR 1 to 8 by RPAD).
9. One CC to M/s. D. JAIPAL REDDY, Advocate [OPUC].
10. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT].
11. One spare copy
ZEE

HIGH COURT

KLJ

DATED:18/07/2024

LIST ON 12.09.2024

ORDER

WP.No.16433 of 2024

STATUS QUO

