

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

TUESDAY ,THE SIXTH DAY OF JANUARY

TWO THOUSAND AND TWENTY SIX

**:PRESENT:
THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL**

WRIT PETITION NO: 18179 OF 2024

Between:

K. Praveen Goud, S/o. K. Yadagiri

Petitioner

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Ranga Reddy District, Kongarakalan Village, Ibrahimpatnam Mandal, Ranga Reddy District - 501 510.
3. The State of Telangana, Rep. by its Principal Secretary, Forest Department, Secretariat, Hyderabad.
4. Hyderabad Metro Development Authority, Rep. by its Commissioner, Swarna Jayanthi Complex, S.R. Nagar, Ameerpet, Hyderabad - 500 038.
5. The Tahsildar, Ibrahimpatnam Mandal, Ranga Reddy District - 501 506.
6. The Commissioner, Adibatla Municipality, Adibatla Village, Ibrahimpatnam Mandal, R.R. District - 501 501.
7. The Commissioner of Police, Rachakonda Division, Vayupuri Colony, Nedremet, Medchal-Malkajgiri - 500 506.
8. The Station House Officer, P.S. Adibatla, Ibrahimpatnam Mandal, Ranga Reddy District - 501 510.
9. The District Registrar, Prashanth Nagar, I.D.A., Kukkatpally, Ranga Reddy District - 500 072.
10. Nannapaneni Nanditha, D/o. Sambha Shiva Rao, Aged about 42 Years, Occ. Business, R/o. Flat No. 4C, Ramdoyen Apartments, H. No. 8-3-1100/5A, Plot No. 113, Srinagar Colony, Hyderabad - 500 073.

- 11.N.D. Infra, a Partnership Firm, Rep. by Deepak Pillapalem S/o. P.N. Reddy, Aged about 44 Years, Occ. Business, R/o. Flat No. 4C, Ramdoyen Apartments, H. No. 8-3-1100/5A, Plot No. 113, Srinagar Colony, Hyderabad - 500 073.
- 12.Dandu Karunakar, S/o. Dandu Gampa Mallaiah, Aged about 41 Years, Occ. Business, R/o. H. No. 6-2-966/a, Flat No. 102, Hills Colony, Street No. 10, Near Nirmala School, Khairatabad, Hyderabad - 500 004.
- 13.S. Radha Krishna Reddy, S/o. Venugopal Reddy, Aged about 49 Years, Occ. Business, R/o. H. No. 501, DADAR Residency, Manikonda, Puppalaguda, Ranga Reddy District - 500 089.
- 14.Sompally Sainath Reddy, S/o. Chinna Appaiah Reddy, Aged about 51 Years, Occ. Business, R/o. H. No. 3-82, Venkatapally, Anathapur District, Andhra Pradesh 515 832.

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 orders more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents, more particularly that of the 2nd Respondent in issuing a Letter bearing No. E4/4566/2013 dated 16.11.2019, whereby and where-under the 2nd Respondent directed to delete the subject land from the Prohibitory List and issue new Pattadar Pass Books to the vendors of the Respondents 10 to 14. The effect of doing so by the 2nd Respondent is that based on the letter No. E4/4566/2013, dated 16.11.2019, the subject land, which is part of Forest land to the extent of 1026.19 Gts., is excluded from the description of Forest land and is given the colour of Patta land, contrary to the entries in Khasara and Sessala. When the Petitioner applied for the grant of all the relevant entries, including the letter dated 16.11.2019 vide No. E4/4566/2013 addressed by 2nd Respondent to 5th Respondent under RTI Act, the office of 2nd Respondent by letter dated 19.06.2024 vide Lr. No. A5/RTI/12216/2024 informed that inspite of thorough search the file is not available in the Record Section. This letter is being challenged as being arbitrary, illegal and violative of Articles 14, 19 (1) (g), 21 and 300-A of the Constitution of India, apart from being violative of the Telangana Forest Act, 1967 and the Telangana State Rights in Land and Pattadar Pass Books Act, 2020 and consequently direct the Respondents 1, to 3 and 5 not to give effect to the Letter No. E4/4566/2013, dated 16.11.2019, as is referred to in the counter filed by the 4th Respondent to which a Memo is issued by the 2nd Respondent to the 5th Respondent by letter dated 19.06.2024 vide Lr. No. A5/RTI/12216/2024, that it is not found in the records in respect of land to an extent of Ac.72.00 Gts., out of total extent of Ac. 1026.19 Gts., in Survey No. 249 of Village Kongarakalan, Ibrahimpatnam Mandal, Ranga Reddy District.

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 direct the Respondents not to receive, process or sanction any application for layout, if presented by the unofficial Respondents in respect of land to an extent of Ac.72.00 Gts., out of total extent of Ac. 1026.19 Gts., in Survey No. 249 of Village Kongarakalan, Ibrahimpatnam Mandal, Ranga Reddy District, pending disposal of WP 18179 of 2024, on the file of the High Court.

IA NO: 2 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 direct the Respondents more particularly respondent No. 9 not to entertain any documents for registration in relation to land to an extent of Ac.72.00 Gts., out of total extent of Ac. 1026.19 Gts., in Survey No. 249 of Village Kongarakalan. Ibrahimpatnam Mandel, Ranga Reddy District, pending disposal of WP 18179 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 SRI VIJAY B PAROPAKARI Advocate for the Petitioner, GP FOR REVENUE for respondent Nos.1,2,5 & 9, GP FOR FOREST for respondent NO.3, Sri. D MADHAVI for respondent No.4, SRI. CH. JAGANATH RAO for respondent No.6, GP FOR HOME for respondent Nos.7 & 8 and Sri Avinash Desai, learned Senior Counsel, representing Sri M. Srinivasa Swarup, learned counsel for the respondent Nos.10 and 11, the Court made the following.

ORDER

Sri Avinash Desai, learned Senior Counsel, representing Sri M. Srinivasa Swarup, learned counsel for the respondent Nos.10 and 11 is present.

Pursuant to the order dated 27-01-2025, the 11th respondent and the 2nd respondent have filed their respective counters.

In the counter affidavit filed by the 11th respondent, it is stated that the lands in Sy. Nos.249/2 to 249/17 are patta lands, and are neither assigned lands nor forest lands, hence, the question of issuance of a notification under Section 23 of the Telangana Forest Act, 1967, as contended by the petitioner does not arise at all, and therefore, the order dated 27-01-2025 may be vacated.

In the counter affidavit filed by the 2nd respondent, it is stated that the Sub-Division phodi work is done for Sy. No.249/1 to 249/17 and the land in Sy. No.249/1, as per record, is the Government land and an extent of Ac.955.35 gts. is recorded as Gairan and the Sub –Divisions 249/2 to 249/17 assigned to an extent of Ac.70.24 gts is in the name of Sri Gopala Linga and 15 others. It is further stated that the 2nd respondent will take all required possible steps to rectify the entries in revenue records as per the rules in vogue since the land is recorded as Government land as per Sethwar and Khasra pahani and later it was assigned and issued supplementary sethwar.

Sri Vijay B Paropkari, learned counsel for the petitioner would raise objection to the counter affidavits filed by the respondent Nos.2 and 11 alleging that there is no clarification in both the counters in respect of the questions raised by this Court viz., whether the subject land is reserve forest land as claimed by the petitioner or whether the land to an extent of Ac.72.00 gts has been de-notified after following the due procedure contemplated in law and whether the Memo dated 19-06-2024 issued by the Administrative Officer, Collectorate, Ranga Reddy District, is emanated from the office of the 2nd respondent-District Collector. Therefore, without there being any whisper in compliance to the order of this Court dated 27-01-2025, the counter affidavits have been filed. Hence, he seeks to pass appropriate orders in the Writ Petition.

The order dated 27-01-2025 is extracted hereunder:

“Notice before admission.

This writ petition is filed seeking to declare the action of the respondents, particularly respondent No.2 in issuing a letter bearing No.E4/4566/2013 dated 16.11.2019, whereby and whereunder respondent No.2 directed to delete the subject land from the Prohibitory List and issue new pattadar pass books to the vendors of respondent Nos.10 to 14.

Mr. Vijay B.Paropakari, learned counsel for the petitioner vehemently contended that the land admeasuring to an extent of Acs. 1026.19 guntas in Survey No.249, situated at Kongarakalan

Village, Ibrahimpatnam Mandal, Ranga Reddy District, is notified as Reserve Forest land (hereinafter referred to as 'the subject land').

It is also contended that contrary to the provisions of the Telangana Forest Act, 1967 and Rules made thereunder, the District Collector without conducting any enquiry has de-notified an extent of Acs. 72.00 guntas from the subject land.

Learned counsel for the petitioner has also placed reliance on a memo No.A5/RTI/12116/2024 dated 19.06.2024 issued by the Administrative Officer, Collectorate, Ranga Reddy District.

On a careful reading of the said memo, it would reveal that there is no file bearing No.E4/4566/2013 dated 16.11.2019 for de-notifying the land admeasuring to an extent of Acs. 72.00 guntas from the subject land. Prima facie, this Court is of the opinion that even the District Collector is also not conferred with the powers for de-notifying the lands which are earlier notified under the provisions of the Telangana Forest Act, 1967.

Pending examination of the above issues, there shall be interim direction to the respondents not to entertain any sale transactions or change of nature of classification of the subject land or creating any third party interest over the subject land in any manner.

Respondent Nos.1 and 2 are directed to file their counter affidavits clarifying whether the subject land is reserve forest land, as claimed by the petitioner or the extent of land of Acs.72.00 guntas has been de-notified following the procedure contemplated in law and whether the Memo No.A5/RTI/12116/2024 dated 19.06.2024 issued by the Administrative Officer, Collectorate, Ranga Reddy District emanated from the Office of the District Collector, by the next date of hearing.

List this writ petition on 24.02.2025."

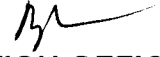
In the circumstances, the matter requires detailed examination and in that view of the matter, respondent No.2-The District Collector, Ranga Reddy

District, Kongarakalan village, Ibrahimpatnam Mandal, Ranga Reddy District, is directed to appear to clarify before this Court on the next date of hearing.

List this matter on 03-02-2026.

//TRUE COPY//

**SD/- AHMED ABDULLAH KHAN
ASSISTANT REGISTRAR**


SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat, Hyderabad.
2. The District Collector, Ranga Reddy District, Kongarakalan Village, Ibrahimpatnam Mandal, Ranga Reddy District - 501 510.
3. The Principal Secretary, Forest Department, State of Telangana, Secretariat, Hyderabad.
4. The Commissioner, Hyderabad Metro Development Authority, Swarna Jayanthi Complex, S.R. Nagar, Ameerpet, Hyderabad - 500 038.
5. The Tahsildar, Ibrahimpatnam Mandal, Ranga Reddy District - 501 506.
6. The Commissioner, Adibatla Municipality, Adibatla Village, Ibrahimpatnam Mandal, R.R. District - 501 501.
7. The Commissioner of Police, Rachakonda Division, Vayupuri Colony, Nedremet, Medchal-Malkajgiri - 500 506.
8. The Station House Officer, P.S. Adibatla, Ibrahimpatnam Mandal, Ranga Reddy District - 501 510.
9. The District Registrar, Prashanth Nagar, I.D.A., Kukkatpally, Ranga Reddy District - 500 072.
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11. Deepak Pillapalem S/o. P.N. Reddy, N.D. Infra, a Partnership Firm, Aged about 44 Years, Occ. Business, R/o. Flat No. 4C, Ramdoyen Apartments, H. No. 8-3-1100/5A, Plot No. 113, Srinagar Colony, Hyderabad - 500 073.
12. Dandu Karunakar, S/o. Dandu Gampa Mallaiah, Aged about 41 Years, Occ. Business, R/o. H. No. 6-2-966/a, Flat No. 102, Hills Colony, Street No. 10, Near Nirmala School, Khairatabad, Hyderabad - 500 004.

13. S. Radha Krishna Reddy, S/o. Venugopal Reddy, Aged about 49 Years, Occ. Business, R/o. H. No. 501, DADAR Residency, Manikonda, Puppallaguda, Ranga Reddy District - 500 089.
14. Sompally Sainath Reddy, S/o. Chinna Appaiah Reddy, Aged about 51 Years, Occ. Business, R/o. H. No. 3-82, Venkatapally, Anathapur District, Andhra Pradesh 515 832. (RR 1 to 14 by SPAD)
15. One CC to SRI. VIJAY B PAROPAKARI Advocate [OPUC]
16. Two CCs to GP FOR FOREST, High Court at Hyderabad. [OUT]
17. Two CCs to GP FOR REVENUE, High Court at Hyderabad. [OUT]
18. Two CCs to GP FOR HOME, High Court at Hyderabad. [OUT]
19. One spare copy
SRT

HIGH COURT

EVVJ

DATED:06/01/2026

List this matter on 03-02-2026.

ORDER

WP.No.18179 of 2024

DIRECTION

