

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
THURSDAY, THE TWENTY THIRD DAY OF NOVEMBER TWO THOUSAND AND
TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION NO: 21242 OF 2023

Between:

1. Dodla Vijaya Kumar, S/o. Polaiah, Aged about 42 years, Occ: Employee, Presently residing at USA represented by GPA Holder D.Polaiah, S/o. Narsaiah, aged about 67 years, Occ: Business, R/o.H.No.16-7-242, Dayannad Colony, Warangal.
2. Bathini Srinivasa Rao, S/o. China Venkataiah, Aged about 56 years, Occ: Business, R/o.H.No.3-10-199, Reddy Colony, Hanamkonda, Warangal.
3. Dhannala Bhagyalaxmi, W/o. Venkataiah, aged about 60 years, Occ: Housewife, R/o.H.No.16-3-921, Fort Road, Ramannapet, Warangal.
4. Dhannala Venugopal, S/o. Venkataiah, aged about 36 years, Occ: Employee, R/o.H.No.2-5-305/1, Nakkalagutta, Hanamkonda, Warangal.
5. Bathini Venu Gopal Rao, S/o. Chinna Venkataiah, aged about 51 years, Occ: Business, R/o.H.No.11-25-710/A, Kothawada, Warangal.
6. Bathini Sunitha, W/o. Venugopal Rao, aged about 45 years, Occ: Housewife, R/o.H.No.11-25-710/A, Kothwawada, Warangal.

Petitioners

AND

1. The State of Telangana, Rep. by its Principal Secretary, Endowments Department, Secretariat, Hyderabad.
2. The Commissioner, Endowments Department, Warangal.
3. The Assistant Commissioner, Endowments Department, Warangal.
4. Sri Govindaraja Swamy Temple, Rep by its Executive Officer, Station Road, Warangal.

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 order or orders or direction or writ more particularly one in the nature of WRIT OF MANDAMUS, declaring the action of the respondents No. 3 and 4 treating the petitioners are encroachers into land bearing No.15/1 when the petitioners are in possession and enjoyment of their land in Sy.No.15/2 of Girmajipet, Warangal and demolishing the compound wall and sheds belonging to the petitioner on 05-08-2023 as illegal, arbitrary, malafide, intentional, opposed to principles of natural justice and contrary to the directions given in OA.No.743/2010 passed by Endowment Tribunal and consequently direct the respondents to follow due process of law in the interests of justice;

IA NO: 1 OF 2023

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 No. 3 and 4 not to dispossess the petitioners from their land to make constructions in Sy No. 15/2 of Girmajipet, Warangal treating the petitioners as encroachers unilaterally pending disposal of the WP 21242 of 2023, on the file of the High Court.

I.A. NO. 2 OF 2023:

Petition under Section 151 of CPC, praying that in the circumstances stated in the affidavit filed in the writ petition, the High Court may be pleased to pass further orders by directing the survey to be conducted in the presence of an advocate commissioner having substantial standing at the bar in the interests of justice, pending disposal of WP No. 21242 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the petition and the affidavit filed therein, and the order of the High Court dated 07-8-2023 & 21.08.2023 made herein, and upon hearing the arguments of Sri K. Sai Sri Harsha, Advocate for the petitioners, of Sri S.Venkat Ramana, Govt. Pleader for Endowments, for the Respondents No.1 to 3, and of Sri J.R.Manohar Rao, Standing Counsel for the Respondent No.4, the Court made the following;

ORDER:

As a last chance, list on 01.12.2023 for filing counter.

Meanwhile, the respondents are directed not to violate the orders passed by this court on 07.08.2023 and 21.08.2023.

Post on 01.12.2023 along with C.C.No.2264 of 2023.

SD/- P.CH.NAGABHUSHAMBA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Endowments Department, State of Telangana, Secretariat, Hyderabad.
2. The Commissioner, Endowments Department, Warangal.
3. The Assistant Commissioner, Endowments Department, Warangal.
4. The Executive Officer, Sri Govindaraja Swamy Temple, Station Road, Warangal.
(Addressees 1 to 4 BY RPAD)
5. One CC to Sri K. Sai Sri Harsha, Advocate [OPUC]

6. Two CCs to GP for Endowments, High Court for the State of Telangana, at Hyderabad [OUT]
7. One spare copy

HIGH COURT

NVSKJ

DATED:23/11/2023

**POST ON 01-12-2023 ALONG WITH
C.C.NO.2264 OF 2023**

ORDER



WP.No.21242 of 2023

DIRECTION