

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE TWENTY SECOND DAY OF OCTOBER TWO THOUSAND AND NINETEEN

:PRESENT:
THE HONOURABLE SRI JUSTICE P NAVEEN RAOIA No. 1 OF 2019
IN
WP NO: 21983 OF 2019

Between:

Madothu Deepla, S/o. Kokya.

...Petitioner
(Petitioner in WP 21983 OF 2019
on the file of High Court)

AND

1. The State of Telangana, rep. by its Secretary, Department of Revenue, Secretariat, Hyderabad.
2. The Joint Collector, Yadadribhuvanagiri Dist.
3. The Sub-Collector and Sub-Divisional Magistrate, Bhongir, Yadadribhuvanagiri Dist.
4. The Tahasildar, Alair Mandal, Yadadribhuvanagiri District.
5. Tejavath Bheelya, S/o. Bhaysingh, Aged 73 years, Occ. Agrl., R/o. Kandigadda Thanda, Gundlagudem Village, Alair Mandal, Yadadribhongir District.
6. Tejavath Ramulu, S/o. Bheelya, Aged 48 years, Occ. Agrl., R/o. Kandigadda Thanda, Gundlagudem Village, Alair Mandal, Yadadribhongir District.
7. Tejavath Nagesh, S/o. Ramulu, Aged 23 years, Occ. Agrl., R/o. Kandigadda Thanda, Gundlagudem Village, Alair Mandal, Yadadribhongir District.

...Respondents
(Respondents in-do-)

Counsel for the Petitioner

: Sri K JAGADISHWAR REDDY

Counsel for the Respondent Nos.1 to 4: GP FOR REVENUE (TG)

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 suspend order in Proceedings No.F2/8268/2013, dt.19/07/2019 passed by the respondent No.2 and also Order in Appeal No .D/3132/2010 and 3508/2010, dt.01-05-2013 passed by the respondent No.3, pending disposal of WP No. 21983 of 2019, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

Heard learned counsel for the petitioner and learned counsel for the caveator.

Primarily, the order of the Joint Collector, Yadadri Bhuvangiri District, affirming the decision of the Revenue Divisional Officer, is challenged on three grounds.

According to learned counsel for the petitioner, one single appeal challenging various proceedings is not maintainable. Further, three different cancellation of pattas granted under the provisions of the Telangana State Rights in Land and Pattadar Passbooks Act, 1971 (for short, 'the Act, 1971'), orders under the Land Reforms Act, 1973 and again by separate proceedings, certificates under Sections 13-B and 13-C of the Act, 1971 issued by the Tahsildar

were merged into one proceeding by the Revenue Divisional Officer and passed orders.

If the petitioner is aggrieved by these three different orders, he has to independently prefer three different appeals under three different provisions of law, whereas an appeal filed under Section 5(5) of the Act, 1971 is entertained and under the guise of entertaining the said appeal, power under Section 14(5) of the Land Reforms Act, 1973 is also invoked. This was not appreciated by the Revisional Authority also.

Prima facie, there is merit in the said contention. Balance of convenience is in favour of the petitioner.

Hence, there shall be interim suspension as prayed for.

//TRUE COPY//

SD/- B.SATYA VATHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Secretary, Department of Revenue, State of Telangana, Secretariat, Hyderabad.
2. The Joint Collector, Yadadribhuvanagiri Dist.
3. The Sub-Collector, and Sub-Divisional Magistrate, Bhongir, Yadadribhuvanagiri Dist.
4. The Tahasildar, Alair Mandal, Yadadribhuvanagiri District.
5. Tejavath Bheelya, S/o. Bhaysingh, Aged 73 years, Occ. Agrl., R/o. Kandigadda Thanda, Gundlagudem Village, Alair Mandal, Yadadribhongir District.
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7. Tejavath Nagesh, S/o. Ramulu, Aged 23 years, Occ. Agrl., R/o. Kandigadda Thanda, Gundlagudem Village, Alair Mandal, Yadadribhongir District. (1 to 7 By RPAD)
8. One CC to SRI K JAGADISHWAR REDDY, Advocate [OPUC]
9. Two CCs to GP FOR REVENUE (TG), High Court at Hyderabad. [OUT]
10. One spare copy

HIGH COURT

PNR,J

DATED:22/10/2019

ORDER

**I.A.NO.1 OF 2019
IN
WP.No.21983 of 2019**

INTERIM SUSPENSION

