

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

MONDAY, THE TWENTY FOURTH DAY OF NOVEMBER

TWO THOUSAND AND TWENTY FIVE

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

WRIT PETITION NO: 21692 OF 2025

Between:

1. Jadala Srinivas, S/o Jadala Durgaiah.
2. Jadala Durgaiah, S/o Ramachandraiah.

Petitioners

AND

1. The State of Telangana, represented by its Principal Secretary, Revenue Department, Secretariat, Hyderabad, Telangana.
2. The District Collector, Nalgonda District, Telangana.
3. The Sub-Collector, Miryalguda, Nalgonda District.
4. The Tahsildar -cum- Joint Sub-Registrar, Tirumalagiri (Sagar) Mandal, Nalgonda District.
5. Jadala Matamma, W/o Ramachandraiah, aged about 77 years, Occ. Agriculture, currently residing in Nehatpur Village of Tirumalagiri (Sagar) Mandal, Nalgonda District, Contact. 9505392737,
6. Jadala Lingaiah, S/o Ramachandraiah, aged about 43 years, Occ. Agriculture, currently residing in Nehatpur Village of Tirumalagiri (Sagar) Mandal, Nalgonda District, Contact. 9505392737.

Respondents

WHEREAS the Petitioners above named through their Advocate SRI J ABHISHEK 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 the nature of a writ of certiorari, thereby setting aside the order dated 03.07.2025 passed by Respondent No. 2 in Appeal No. 044/AT/DWO/2025, directing the re-transfer of land in favour of Respondent No. 5. It is prayed that this Hon'ble Court declare and set aside the impugned order dated 03.07.2025, on account of it being vague, arbitrary, and contrary to the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

IA NO: 2 OF 2025

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 the impugned order dated 03.07.2025 passed by Respondent No. 2 in Appeal No. 044/AT/DWO/2025, in the interest of justice., Pending disposal of WP 21692 of 2025, 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 J ABHISHEK Advocate for the Petitioner, GP FOR REVENUE for the Respondent Nos. 1 to 4, the Court made the following.

ORDER

Sri Raji Reddy, learned senior counsel, representing learned counsel for the petitioners submits that vide impugned proceedings in Appeal No.044/AT/DWO/2025, dated 03.07.2025 the Chairman, Appellate Tribunal & Collector & District Magistrate, Nalgonda cancelled the gift deed in favour of 1st petitioner and directed to mutate/retransfer the property in the name of Smt.Jadala Mattamma/respondent No.5. The District Collector held that under Section 23(1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 any transfer of property by a senior citizen subject to the condition of maintenance is deemed void if the transferee fails to provide for the transferor's needs; since the transferee failed to pay compensation to the transferor the Tribunal declared the transfer of the property as void.

He further submits that the Sub-Divisional Tribunal-cum-Sub-Collector directed the petitioners to provide for payment of "life time maintenance" to the unofficial respondents either by paying an amount of Rs.20,00,000/- to each unofficial respondent or allotting Ac.1.00 Gts., of land to each unofficial respondent. The entire extent of available land is only Ac.2.00 Gts. The petitioners and their entire family members are dependents on the said land. If the order is implemented the petitioners will be left with no land subjecting their family to face troublesome situation for their survival. He seeks to call for the records of the Tribunal to establish the alleged misrepresentations made by the unofficial respondents before the said Tribunal. He further submits that Section 9(2) of the Act does not contemplate to award maintenance of more than Rs.10,000/-. He seeks to file additional material documents to establish their case.

Appearing on-line, learned counsel for the respondent Nos.5 and 6 seeks to file additional material papers to demonstrate that the said Ac.2.00 Gts., of land has been gifted by the respondent Nos.5 and 6 to the petitioners herein on the condition that the petitioners shall provide them lifetime maintenance.

In that view of the matter, the matter requires detailed examination.

In the meantime, the impugned proceedings in Appeal No.044/AT/DWO/2025, dated 03.07.2025, passed by the Chairman, Appellate Tribunal & Collector & District Magistrate, Nalgonda, are hereby suspended, subject to the condition that petitioner No.1 shall pay Rs.10,000/- each to respondents 5 and 6, and petitioner No.2 shall also pay Rs.10,000/- each to respondents 5 and 6 along with attending of the medical necessities of the respondent Nos.5 and 6 and by paying their medical bills equally. The said amount shall be paid on or before the 10th of every calendar month. In the absence of which, interim order granted by this Court stands vacated automatically.

List the matter on 22.12.2025

**SD/-P.PONNA KRISHNA
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat, Hyderabad, Telangana.
2. The District Collector, Nalgonda District, Telangana.
3. The Sub-Collector, Miryalguda, Nalgonda District.
4. The Tahsildar -cum- Joint Sub-Registrar, Tirumalagiri (Sagar) Mandal, Nalgonda District.
5. Jadala Matamma, W/o Ramachandraiah, Occ. Agriculture, currently residing in Nehatpur Village of Tirumalagiri (Sagar) Mandal, Nalgonda District, Contact.
6. Jadala Lingaiah, S/o Ramachandraiah, aged about 43 years, Occ. Agriculture, currently residing in Nehatpur Village of Tirumalagiri (Sagar) Mandal, Nalgonda District, (RR 1 to 6 by SPAD)
7. One CC to SRI. J ABHISHEK Advocate [OPUC]

8. Two CCs to GP FOR REVENUE ,High Court at Hyderabad. [OUT]
9. One spare copy
SRT

HIGH COURT

EVVJ

DATED:24/11/2025

List this matter on 22.12.2025

ORDER

WP.No.21692 of 2025

DIRECTION

