

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

**THURSDAY, THE SIXTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

WRIT PETITION NO: 22438 OF 2024

Between:

Mr.Akkireddy Srinivasa Rao, S/o Late Satyanarayana Murthy Aged about 62 Years,
Occ. Retired R/o.H.No.30-272/10/8/1,Santhoshimaa Nagar, Old Safilguda,
Malkajigiri, Hyderabad -500047.

...PETITIONER

AND

1. State of Telangana, rep. by Its Principal Secretary Revenue Secretariat,
Lower Tank Bund, Hyderabad,
2. Tahsildar-Mandal Revenue Officer, Kapra Mandal, Sai Priya Colony,
Kushaiguda, Secunderabad-500094
3. Sub-Registrar Kapra, 1-53/11, HT Road, North Kamala Nagar Kushaiguda,
Secunderabad-500 062
4. Zonal Commissioner, Greater Hyderabad Municipal Corporation, East Zone,
LB Nagar, Hyderabad.
5. Deputy Commissioner, GHMC Kapra Circle-1 DAE Colony, Kamala Nagar,
Kapra, Hyderabad- 500 062.
6. Prem Kumar Sanghi, S/o ML Sanghi,Aged about 53 years, Occ Business R/o
F. No. 301, Surabhi Arcade,Basheerbagh, Hyderabad
7. Smt Sushma Sanghi, W/o PK Sanghi,Aged about 52 years, Occ Business R/o
F. No. 301, Surabhi Arcade,Basheerbagh, Hyderabad
8. P.K Sanghi HUF, rep. by its Karta Prem Kumar Sanghi S/o ML Sanghi Aged
about 53 years, Occ Business R/o F. No. 301, Surabhi Arcade,Basheerbagh,
Hyderabad
9. G. Bal Reddy, S/o Late GR Reddy,Aged about 64 years, Occ Business R/o H.
No. 12-1-508/89/2, North Lalaguda ,Shanthinagar, Secunderabad
10. Alangadula Narasimha, S/o A Satyanarayana,Aged about 54 years, Occ
Business, R/o H. No. 8-6-199, Rampur, Karimnagar District
11. Smt. Mukta Agarwal, W/o Nilesh Agarwal,Aged about 48 years, Occ
Housewife, Rio Flat No. 32, Maheshwari Residency, Adarshnagar, Hyderabad

12. Bhagwandas Agarwal, S/o PD Agarwal, aged about 75 years, Occ Business R/o F. No. 404, Ananth Laxmi Residency, Bogulakunta, King Koti, Hyderabad

13. M/s. Shank Investments Private Limited, Rep by its Director, N.K. Agarwal S/o. S.L. Agarwal, R3ZEN, 2nd Floor Plot No.237 and 238, Sy.No.46 Kavuri Hills, Near D Mart Madhapur, Hyderabad -500072.

...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 Direction more in the nature of Writ of Mandamus declaring the action of the Respondents more particularly the Second and Third Respondent in entertaining registrations of sale deeds, conveyance deeds or documents in respect of the land in Sy. No. 633, Kapra Village, Kapra Mandal (formerly Keesara Mandal), Medchal-Malkajgiri District, admeasuring Ac. 7-00 Gts contrary to the rights of the Petitioner by virtue of the registered sale deeds dated 17-02-2003 vide Doct No. 1659 of 2003 in respect of Plot No. 86 in Sy. No. 633, Kapra Village, Keesara Mandal (currently Kapra Mandal), RR District (currently Medchal-Malkajgiri District) as being illegal, arbitrary and contrary to the provisions of Article 14, 300-A of Constitution of India and consequently direct the Second and Third Respondents to not to entertain any documents, deeds of conveyances, sale deeds, agreements of sale presented by the Respondents No. 6 to 12 or their nominees for registration in respect of land in Sy. No. 633, Kapra Village, Kapra Mandal (formerly Keesara Mandal), Medchal-Malkajgiri District, admeasuring Ac. 7-00 Gts and place the property in Sy. No. 633, Kapra Village, Kapra Mandal (Keesara Mandal), Medchal-Malkajgiri District admeasuring Ac. 7-00 Gts.

IA NO: 1 OF 2024

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 Respondents more particularly Respondents No. 6 to 12 to not to change or the nature of the property or carry on any transaction in respect of the land - asuring Ac. 7-00 guntas, in Sy No. 633, ra village, Kapra Mandal formerly Kapara Mandal. Medchal Malajgiri District.

IA NO: 2 OF 2024

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 Second and Third Respondents not to entertain or register any deeds, documents, deeds conveyance, sale deeds, agreements of sale or any other document in any manner whatsoever presented by the Respondents No. 6 to 12 or their nominees in respect of Sy. No. 633, Kapra Village Kapra Mandal (formerly Keesara Mandal, Medchal-Malkajgiri District, admeasuring Ac. 7-01.

Counsel for the Petitioner : SRI SRIKANTH HARIHARAN

Counsel for the Respondents No.1to3 : ASST. GP FOR REVENUE

Counsel for Respondents No.4&5 : SRI M.DURGA PRASAD, SC FOR GHMC

Counsel for Respondents No.6to13 :

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The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE E.V.VENUGOPAL

WRIT PETITION No.22438 of 2024

ORDER:

This Writ Petition is filed under Article 226 of Constitution of India seeking the following relief/s:-

“...to issue a Writ, Order or Direction more in the nature of Writ of Mandamus declaring the action of the Respondents more particularly the Second and Third Respondent in entertaining registrations of sale deeds, conveyance deeds or documents in respect of the land in Sy.No.633, Kapra Village, Kapra Mandal (formerly Keesara Mandal), Medchal-Malkajgiri District, admeasuring Ac.7-00 Gts contrary to the rights of the Petitioners by virtue of the registered sale deeds dated 17/02/2003 vide Doct No.1659 of 2003 in respect of Plot No.86 in Sy. No.633, Kapra Village, Keesara Mandal (currently Kapra Mandal), RR District (currently Medchal-Malkajgiri District) as being illegal, arbitrary and contrary to the provisions of Article 14, 300-A of Constitution of India and consequently direct the 2nd and 3rd Respondents not to entertain any documents, deeds of conveyances, sale deeds, agreements of sale presented by the Respondents Nos.6 to 12 or their nominees for registration in respect of land in Sy. No.633, Kapra Village, Kapra Mandal (formerly Keesara Mandal), Medchal-Malkajgiri District, admeasuring Ac. 7-00 Gts and place the property in Sy. No. 633, Kapra Village, KapraMandal(Keesara Mandal), Medchal-Malkajgiri District admeasuring Ac.7-00 Gts ...”

2. Heard learned counsel for the petitioners, learned Assistant Government Pleader for Revenue and Sri Srinivas Rao, learned counsel representing Sri M.Durga Prasad, learned Standing

Counsel for GHMC, appearing for respondent No.5. perused the record.

3. Learned counsel for the petitioners would submit that respondent No.13 company was the absolute owner and possessor of Ac.7.00 guntas in Sy.No.633, Kapra Village, keesarma Mandal, Ranga Reddy District, having purchased the same from their vendor M.V.Jeswanth Rao and his family members through various registered sale deeds dated 03.12.1999. The names of the original owners were also mutated in the revenue records by virtue of mutation proceedings. Thereafter, the respondent No.13 company had developed plots on the subject property admeasuring Ac.7.00 guntas by virtue of approval granted by the Gram Panchayat covering the entire extent of land and divided the land into plots and developed a venture by the name of "Green Avenue".

4. It is further submitted that respondent No.13 company approached the petitioner and offered various plots in the venture. Then the petitioner has purchased plot bearing No.86 in the venture. The petitioner is in peaceful possession of his extents of land. The petitioner also constructed a boundary protecting the extents of plot.

5. It is further submitted that in the year 2007, certain unauthorized persons were interfered into the peaceful possession of the extents of the petitioner. Then, the petitioner along with others made a representation to the Assistant Commissioner of Police, Malkajgiri on 09.07.2007 seeking protection. Thereafter, the petitioner along with other plot owners had filed a suit for Perpetual Injunction vide O.S. No.1639 of 2007. Vide order dated 13.07.2007 in I.A.No.2066 of 2007, the petitioners granted status quo in respect of the subject property.

6. It is further submitted that in the year 2014, petitioner had filed a suit in O.S.No.1848 of 2014 on the file of the I Additional Senior Civil Judge, Medchal Malkajgiri District against the unofficial respondents and the same is pending for adjudication. The unofficial respondent Nos.6 to 12 had also filed a suit vide O.S. No.703 of 2014 against the petitioner and other plot owners on the file of the Principal District Judge, RR District at LB Nagar.

7. It is further submitted that on 18.07.2024, the petitioner and other plot owners have constrained to issue legal notice to respondent Nos.2 and 3 not to entertain any registrations of

deeds of conveyance, sale deeds or agreement of sale presented by respondent Nos.6 to 12. But, Respondent No.2 and 3 entertained the registrations. On 22.07.2024 the petitioner made a representation to respondent No.5 seeking to demolish the unauthorized construction of compound wall constructed by the unofficial respondents. No action has been taken by respondent No.5. Aggrieved thereby, the petitioners filed the present writ petition.

8. Learned Assistant Government Pleader for Revenue would by furnishing the written instructions issued by the Tahsildar-respondent No.2 would submit that as per the Kapra Village Dharani Pahani for the year 2020-21, the land in Sy.No.633 stands patta land and the land in question, where the petitioners seeking direction is no longer agriculture land and they are converted into plots. Respondent No.2 is competent to register the Agricultural Lands only, not plots and respondent No.3 is competent to register the plots. Hence, he seeks to dismiss this writ petition.

9. Having heard learned counsel for the petitioners and learned Assistant Government Pleader for Revenue and upon perusal of the material placed before this Court, it is apparent

that parties in this writ petition are also parties before the Civil Court in O.S. No.1639 of 2007, O.S No.1848 of 2014 and O.S.No.703 of 2014 in respect of the subject property. It is pertinent to note that the subject lands are converted into plots. Therefore, considering the facts and circumstances of this case and since the dispute is civil in nature, this Court is not inclined to entertain the present writ petition because the civil Court is already seized of the dispute involving the subject property and it is only the competent civil Court can crystallize the rights of the parties.

10. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

SD/- S.MALLIKARJUNA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, State of Telangana, Revenue Secretariat, Lower Tank Bund, Hyderabad,
2. The Tahsildar-Mandal Revenue Officer, Kapra Mandal, Sa Priya Colony, Kushaiguda, Secunderabad-500094
3. The Sub-Registrar Kapra, 1-53/11, HT Road, North Kamala Nagar, Kushaiguda, Secunderabad-500 062
4. The Zonal Commissioner, Greater Hyderabad Municipal Corporation, East Zone, LB Nagar, Hyderabad.
5. The Deputy Commissioner, GHMC Kapra Circle-1 DAE Colony, Kamala Nagar, Kapra, Hyderabad- 500 062.
6. One CC to SRI SRIKANTH HARIHARAN, Advocate. [OPIU]
7. Two CCs to GP FOR REVENUE, High Court for the State of Telangana. [OUT]

8. One CC to SRI M.DURGA PRASAD, SC FOR GHMC. [OPUC]
9. Two CD Copies.

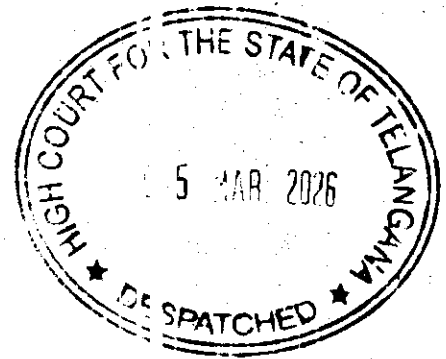
BSK

PSK

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HIGH COURT

DATED:06/11/2025



ORDER

WP.No.22438 of 2024

**DISMISSING THE WRIT PETITION
WITHOUT COSTS**

(12)

NT

28/2/26.