

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

THURSDAY, THE NINTH DAY OF JULY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION NO: 21731 OF 2026

Between:

1. Farmer Service Co-Operative Society Ltd., Kodakandla, Jangaon District.
Rep. by its President K. Venkateswar Reddy, S/o. K. Ram Reddy, aged about 56 years, O/o. Kodakandla, FSCCS Ltd., Jangaon District.
2. Farmer Service Co-Operative Society Ltd., Kodakandla, Jangaon District.
Rep. by its Secretary E. Naresh, S/o. Pochaiah, aged about 50 years, O/o. Kodakandla, FSCCS Ltd., Jangaon District.

...PETITIONERS

AND

1. The State of Telangana, Rep by its Principal Secretary, Revenue Department, Secretariat buildings, Hyderabad.
2. The District Collector, Jangaon District.
3. The Revenue Divisional Office, Ghapur Station, Jangaon District
4. The Thasildar, Kodakandla Mandal, Jangaon District.
5. The Revenue Inspector, Kodakandla Village and Mandal

...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, particularly Respondent No.4 and 5, in stopping the business of running the petrol pump operated by the Petitioner Society in the name and style of M/s. Farmer's Service Co-Operative Society at premises in Sy.No.100/3 situated at Kodakandla Village, Kodakandla Mandal, Jangaon District vide proceedings Rc.No.C/36/2019 dated 05.10.2019, and in seizing the said premises without notice, without hearing and without following due process of law, inspite of Letter of Intent vide Ref.No.SDO/Con/FSCS, dated 27.09.2019 and seized on the hearing day i.e.,30.06.2026 at 5.30 p.m. without

hearing or reply as illegal, arbitrary, without jurisdiction, violative of principles of natural justice and violative of Articles 14, 19(1)(g) and 300-A of the Constitution of India and consequently direct the Respondents not to interfere with the peaceful possession and running of the HSD/MS Retail Outlet/Petrol Pump by the Petitioner Society at the premises in Sy.No.100/3, Kodakandla Village, Kodakandla Mandal, Jangaon District, which is being operated under valid Form-B License dated 03.09.2021, NOC dated 02.02.2024 issued under Rules 144 and 147 of Petroleum Rules 2002, and Dealership Agreement dated 20.03.2024 with IOCL in the interest of justice.

I.A. NO: 1 OF 2026

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 not to interfere with the peaceful possession and running of the HSD/MS Retail Outlet/Petrol Pump by the Petitioner Society at the premises in Sy.No.100/3, Kodakandla Village, Kodakandla Mandal, Jangaon District, which is being operated under valid Form-B License dated 03.09.2021, NOC dated 02.02.2024 issued under Rules 144 and 147 of Petroleum Rules 2002, and Dealership Agreement dated 20.03.2024 with IOCL in the interest of justice pending disposal of the writ petition.

Counsel for the Petitioners: SRI K.BUCHI BABU
Counsel for the Respondents: AGP FOR REVENUE

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.V. SHRAVAN KUMAR

W.P. No.21731 of 2026

Date: 09.07.2026

Between:

Farmer Service Co-Operative Society Limited and another
... Petitioners

And

The State of Telangana,
Represented by its Principal Secretary,
Revenue Department,
Secretariat, Hyderabad and Four others.

... Respondents

ORDER:

Heard the learned counsel for the petitioners and the learned Assistant Government Pleader for Revenue and perused the material placed on record.

2. Questioning the action of the respondents No.4 and 5 in stopping the business of running the petrol pump operated by the petitioner Society in the name and style of M/s. Farmer's Service Co-Operative Society at premises in Sy.No.100/3 situated at Kodakandla village, Kodakandla Mandal, Jangaon district vide Proceedings Rc.No.C/36/2019 dated 05.10.2019 and in seizing the said premises without notice, hearing and following due process of law, inspite of letter of intent vide Ref.No.SDO/Con/FSCS, dated 27.09.2019 and seized on the hearing day i.e. 30.06.2016 at 5.30 pm., without hearing or reply, petitioners filed the present writ petition with a consequential prayer to direct the respondents not to interfere with

the peaceful possession and running of the petrol pump by the petitioner Society.

3. The learned counsel for the petitioners would submit that the petitioners, after obtaining permissions from all the concerned, including the Commissioner of Police dated 02.02.2024 and also having obtained land possession certificate dated 05.10.2019 issued by the respondent No.4, are running petrol bunk from 24.11.2021 onwards. While so, the respondent No.4, Tahsildar, Kodakandla Mandal, issued notice dated 27.06.2026 under Section 7 read with Sections 3, 4 and 6 of the Telangana Land Encroachment Act, 1905 to appear before the respondent No.2 on 30.06.2026 at 11.30 am., at the Collectorate, Jangaon. Though the petitioners submitted all the relevant documents for consideration, the respondents No.4 and 5 came to the premises and without giving opportunity of hearing seized the premises and stopped the running business of petrol bunk in gross violation of principles of natural justice. Hence, the petitioners filed the present writ petition.

4. The learned Assistant Government Pleader for Revenue would submit that the land possession certificate dated 05.10.2019 issued by the then Tahsildar and the subsequent No Objection Certificate endorsed by the Revenue Divisional Officer in 2020 were obtained through misrepresentation. Learned Assistant Government Pleader would further submit that on an administrative mistake done by any official cannot create an equitable title over the Government land and

the same is noted by the District Collector in his order Rc. No.B/364/2026, dated 07.07.2026 referring the judgment of the Hon'ble Supreme Court in **C.Albert Morries Vs. K.Chandrasekaran** that a petroleum license or Police NOC creates no legal property right over a site when the basic underlying right to possess the land is unlawful. It is further submitted that the petitioners intentionally suppressed the vital fact that the Collector and District Magistrate, Jangaon, had already conducted full summary hearings and passed a final order of resumption and eviction vide Rc.No.B/364/2026 dated 07.07.2026 under the Telangana Land Encroachment Act, 1905. The petitioners may challenge the same, if so aggrieved.

5. At this stage, the learned counsel for the petitioners would submit that the final order of resumption dated 07.07.2026, stated to have been passed by the Collector and District Magistrate, Jangaon, has not been communicated to the petitioners.

6. In that view of the matter, since the final order of resumption dated 07.07.2027, stated to have been passed by the Collector and District Magistrate, Jangaon, has not been communicated to the petitioners and a copy of the same has not been placed before this Court, without expressing any opinion on the merits of the case and with the consent of the learned counsel on either side, this writ petition is disposed of directing the respondents to communicate a copy of the final order of resumption dated 07.07.2026, stated to have been passed by the Collector and District Magistrate, Jangaon, to the

petitioners. Till such time, respondents authority shall not take any further coercive steps on the petitioners petrol bunk. However, liberty is given to the petitioners to challenge the final order of resumption dated 07.07.2026, stated to have been passed by the Collector and District Magistrate, Jangaon, if so aggrieved, within a period of Two (02) weeks, from the date of receipt of a copy of the final resumption order dated 07.07.2026 by the petitioners.

7. Accordingly, this writ petition is disposed of. There shall be no order as to costs.

As a sequel, miscellaneous applications, if any pending, shall stand closed.

SD/-AHMED ABDULLA KHAN
ASSISTANT REGISTRAR

//TRUE COPY//



SECTION OFFICER

To

1. The Principal Secretary, Revenue Department, Secretariat buildings, Hyderabad, State of Telangana.
2. The District Collector, Jangaon District.
3. The Revenue Divisional Office, Ghapur Station, Jangaon District.
4. The Thasildar, Kodakandla Mandal, Jangaon District.
5. The Revenue Inspector, Kodakandla Village and Mandal
6. One CC to SRI K.BUCHI BABU, Advocate [OPUC]
7. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad. [OUT]
8. Two CD Copies

PSK.

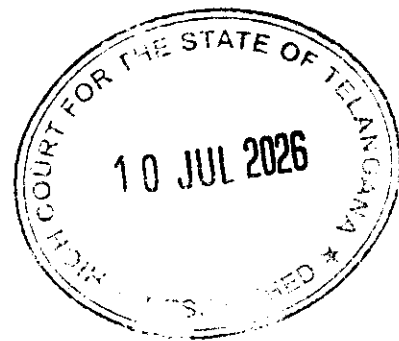


CC TODAY

HIGH COURT

DATED: 09/07/2026

ORDER
WP.No.21731 of 2026



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.

⑪ ⑤⑧⑤
10/07/26