

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE FIFTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HON'BLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 27700 OF 2023

Between:

1. Nazimuddin Farooqui, S/o. late K.M. Farooqui, Aged about 61 Years, Occ: Business, R/o H.No.8-2-282/1/1, Markaz Villa, Banjarahills, Hyderabad.
2. Shaista Naseem Farooqui, W/o. Late Mohammed Nayeemuddin Farooqui, Aged about 52 years, Occupation: House Wife, R/o.H.No.8-2-608/1/6/1, Karama Enclave, Road No.10, Khairatabad, Hyderabad.
3. Madiha Farooqui, D/o. Mohammed Nayeemuddin Farooqui, R/o.H.No.8-2-608/1/6/1, Karama Enclave, Road No.10, Khairatabad, Hyderabad.
4. Busha Farooqui, D/o. Mohammed Nayeemuddin Farooqui, Aged about 24 years, Occupation: House Hold, R/o.H.No.8-2-608/1/6/1, Karama Enclave, Road No.10, Khairatabad, Hyderabad.
5. Fauzan Nayeem Farooqui, S/o. Late Mohammed Nayeemuddin Farooqui, Aged about 20 years, Occ: Student, R/o.H.No.8-2-608/1/6/1, Karama Enclave, Road No.10, Khairatabad, Hyderabad.
6. Luqman Nayeem Farooqui, S/o. Mohammed Nayeemuddin Farooqui, aged about 20 years, Occ: Student, R/o.H.No.8-2-608/1/6/1, Karama Enclave, Road No.10, Khairatabad, Hyderabad.

All represented by their G.P.A Holder:

Azzam Nazim Farooqui S/o. Nazimuddin Farooqui, Aged about 29 years, Occ: Business, R/o.H.No.8-2-282/1/1, Markaz Villa, Banjaraha Hills Road No.03, Hyderabad.

...Petitioners

AND

1. The State of Telangana, Rep by its Secretary (Revenue), Secretariat Buildings, Hyderabad.
2. The District Collector, Ranga Reddy District.
3. The Revenue Divisional Officer, Chevella Division, Ranga Reddy District.
4. The Tahsildar, Chevella Mandal, Ranga Reddy District.

...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 any writ, order or direction more particularly one in the nature of writ of mandamus declaring the high handed and illegal action of the respondents more particularly the respondent No.2 herein in passing the impugned Endorsement vide No.E2/5896/2015 dated 02/09/2021, rejecting the request of the petitioners to issue NOC in respect of their private patta land admeasuring Ac.04-36 Guntas in Sy.No.55 at Mudimyal Village, Chevella Mandal, Ranga Reddy District, without following due procedure of law and on the ground that the land is resumed under POT Act 1977 as illegal, arbitrary, passed without any application of mind and contrary to reports

furnished by Tahsildars, in violation of principles of natural justice besides being in contra to the POT Act 1977 and to consequently set aside the impugned endorsement passed by the respondent No.2 herein in respect of petitioners land admeasuring Ac.04-36 guntas, situated in Sy.No.55 at Mudimyal Village, Chevella Mandal, Ranga Reddy District.

IA NO: 1 OF 2023

Petition under Section 151 of 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 endorsement passed vide No.E2/5896/2015 dated 02/09/2021 by the respondent No.2 herein in respect of petitioners land admeasuring Ac.04-36 guntas, situated in Sy.No.55 at Mudimyal Village, Chevella Mandal, Ranga Reddy District, pending disposal of Writ Petition No.27700 of 2023, 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 M/s. KATIKA RAVINDER REDDY, Advocate for the Petitioners, GP FOR ASSIGNMENT, Advocate for the Respondents the Court made the following.

ORDER:

"Learned AGP for Assignment seeks time to get instructions.

Status quo obtaining as on today, in respect of the subject property, shall be maintained until further orders.

Post on 17-10-2023 in Motion List."

SD/- B. SARASWATHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Secretary (Revenue), State of Telangana, Secretariat Buildings, Hyderabad.
2. The District Collector, Ranga Reddy District.
3. The Revenue Divisional Officer, Chevella Division, Ranga Reddy District.
4. The Tahsildar, Chevella Mandal, Ranga Reddy District (RR 1 to 4 by RPAD)
5. One CC to M/s. KATIKA RAVINDER REDDY, Advocate [OPUC].
6. Two CCs to GP FOR ASSIGNMENT, High Court for the State of Telangana at Hyderabad [OUT].
7. One spare copy.

HIGH COURT

BVR,J

DATED: 05/10/2023

NOTE: POST ON 17-10-2023 IN MOTION LIST

ORDER

WP.No.27700 of 2023

STATUS QUO

