

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

TUESDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE

**:PRESENT:
THE HON'BLE SRI JUSTICE K.LAKSHMAN**

WRIT PETITION NO: 29017 OF 2025

Between:

Smt. Yakoob (Yakub) Bee, W/o. Shaik Lal Bahadur,

Petitioner

AND

1. The State of Telangana, Rep. by its Principal Secretary to the Revenue Department, Secretariat, Hyderabad
2. The District Collector, Khammam District.
3. The Commissioner, Khammam Municipal Corporation, Khammam City and District
4. The Assistant Director, Survey and Land Records, Khammam City and District
5. Mr. G. Narasimha Rao, The Revenue Divisional Officer, Khammam Revenue Division Officer, Khammam City and District.
6. The Special Deputy Collector (L.A), Khammam.
7. Mr. D. Saidulu, The Tahsildar, Khammam Urban Mandal, Khammam District.
8. The Executive Engineer, Nagarjuna Sagar Project, Khammam.
9. The Deputy Executive Engineer, Nagarjuna Sagar Project, Khammam.
10. The Mandal Surveyor, Khammam Urban Mandal, Khammam District.
11. The Town Planning Officer, The Khammam Municipal Corporation, Khammam City and 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 a writ, order or direction more particularly in the nature of a Writ of Mandamus declaring the action of the respondents entering into the land of petitioner to the extent of Ac.0-33 gts situated at Pakabanda of Khammam Urban Mandal, Khammam District within the limits of Khammam Municipal Corporation and conducting the forcible survey with the help of police force, without the Village Map, NSP Canal Alignment Map, Supplement Setwar, Sub-division Record..etc., as arbitrary, illegal, unreasonable and violation of principles of nature justice and also violation of Art.14, 19, 21 and 300-A of the Constitution of India also in violation of the Common Orders, dated 18-10-2024 passed in Contempt Cases vide CC.Nos.355 and 446 of 2024 and consequently direct the respondents not to take up any development work in petitioner's land to the extent of Ac.0-33 gts situated at Pakabanda of Khammam Urban Mandal, Khammam District within the limits of Khammam Municipal Corporation, in the interest of justice;

IA NO: 1 OF 2025:

Petition under Section 151 of CPC, praying that in the circumstances stated in the affidavit filed in the writ petition, the High Court may be pleased to direct the respondents to maintain the Status Quo Ante as on 15-09-2025 and also not to take any development work in the land of the petitioner to the extent of Ac.0-33 gts in Sy.No.88/C situated at Pakabanda Revenue Village, Khammam Urban Mandal, Khammam District within the limits of Khammam Municipal Corporation, pending disposal of WP. No. 29017 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed therein, and upon hearing the arguments of Sri P.Venugopal, Senior Counsel representing Sri Shaik Madar, Advocate for the Petitioner, Asst. GP for Revenue, for Respondent Nos. 1, 2, 4 & 10, Sri P.Sridhar Rao, SC for Respondent Nos. 3 & 11, GP for Land Acquisition, for Respondent No. 6, and Asst. GP for Irrigation & Command Area Development, for Respondent Nos. 8 & 9, the Court made the following.

ORDER:

Petitioner is claiming that she is the absolute owner and possessor of land admeasuring Ac.0.33 guntas in Sy.No.88/C situated at Pakabanda Revenue Village, Khammam Urban Mandal and District, under a registered sale deed, dated 10.01.2008. When respondents tried to dispossess the petitioner from the subject property without following due procedure laid down under law, she has filed a writ petition *vide* W.P.No.9173 of 2008. This Court disposed of the said writ petition on 26.06.2008, considering the instructions submitted by the learned Assistant Government Pleader for Revenue that respondents therein will never interfere with the possession of the property. Thereafter, respondents again tried to interfere with the possession of the petitioner over the subject property in the year 2021. Again petitioner has filed a writ petition *vide* W.P.No.3710 of 2021. *Vide* order dated 17.03.2023, this Court disposed of the said writ petition directing the Khammam Municipal Corporation, not to interfere with the possession of the petitioner's land without following due procedure laid down under law. If petitioner's land is required for the public purpose, the same shall be acquired by initiating appropriate action under the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Petitioner has filed two contempt cases i.e., C.C.Nos.355 and 446 of 2025 against the District Collector and the Tahsildar, Khammam District, alleging willful and deliberate violation of the aforesaid orders.

Vide order dated 08.10.2024, this Court disposed of the contempt cases, directing the Tahsildar, Khammam Urban Mandal, Khammam District i.e., respondent No.7 to conduct survey of the subject lands acquired by the Government and the lands purchased by the petitioner in accordance with law after issuing notice in terms of the various circulars issued by the Commissioner, Survey, Settlements and Land Records by fixing the boundaries. Till survey is conducted, the respondents are directed to maintain *status quo* obtaining as on today.

According to Mr. P.Venugopal, learned Senior Counsel representing Mr. Shaik Madar, learned counsel for the petitioner, survey was conducted on 28.07.2025 and copies of the panchanama and survey report were not furnished despite request by the petitioner.

Perusal of the record would reveal that respondent No.7 has issued notice dated 08.09.2025 and survey was conducted on 16.09.2025 itself.

It is the specific contention of the petitioner herein that under the guise of the said survey, respondent Nos.5 to 11 are trying to dispossess the petitioner from the subject property in violation of order dated 18.10.2024 in CC.Nos.335 and 446 of 2025.

However, learned Assistant Government Pleader for Revenue and learned Government Pleader for Irrigation and Command Area Development, seeks time to file counters and also to file copies of the survey report, panchanama etc.

List on 09.10.2025.

Till then, respondent Nos.2 to 11 are directed not to dispossess the petitioner from the subject property, under the guise of survey.

However, liberty is granted to the respondents to go ahead with the survey, strictly in accordance with law, by putting the petitioner and all interested parties on notice and submit report to this Court by 09.10.2025 along with counters.

//TRUE COPY//

SD/-A.V.S PRASAD
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary to the Revenue Department, State of Telangana, Secretariat, Hyderabad
2. The District Collector, Khammam District.
3. The Commissioner, Khammam Municipal Corporation, Khammam City and District
4. The Assistant Director, Survey and Land Records, Khammam City and District

5. Mr. G. Narasimha Rao, Revenue Divisional Officer, Khammam Revenue Division Officer, Khammam City and District.
6. The Special Deputy Collector (L.A), Khammam.
7. Mr. D. Saidulu, Tahsildar, Khammam Urban Mandal, Khammam District.
8. The Executive Engineer, Nagarjuna Sagar Project, Khammam.
9. The Deputy Executive Engineer, Nagarjuna Sagar Project, Khammam.
10. The Mandal Surveyor, Khammam Urban Mandal, Khammam District.
11. The Town Planning Officer, Khammam Municipal Corporation, Khammam City and District. (Addressees 1 to 11 BY RPAD)
12. Two CCs to GP for Revenue, High Court for the State of Telangana, at Hyderabad (OUT)
13. Two CCs to GP for Land Acquisition, High Court for the State of Telangana, at Hyderabad (OUT)
14. One CC to Sri Shaik Madar, Advocate (OPUC)
15. One spare copy

HIGH COURT

KL,J

DATE: 23-9-2025

NOTE: POST ON 09-10-2025

ORDER

WP. NO. 29017 OF 2025

DIRECTION

