

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**MONDAY ,THE FIFTH DAY OF DECEMBER TWO THOUSAND AND TWENTY
TWO**

**:PRESENT:
THE HONOURABLE SRI JUSTICE K.LAKSHMAN**

WRIT PETITION NO: 40455 OF 2022

Between:

1. M. Divya Reddy, D/o Sri. M. Raji Reddy
2. Sri. K. Ramesh, S/o K. Narayana
3. Sri. Nidhanakavi Sudhakar, S/o Late N. Laxmaiah

Petitioners

AND

1. The State of Telangana, Represented by its Principal Secretary, Department of Revenue, Secretariat, BRKR Building, Hyderabad.
2. The Collector, Ranga Reddy District.
3. The Revenue Divisional Officer, Kanukur Division, Ranga Reddy District.
4. The Mandal Revenue Officer, Saroorngar Mandal, Ranga Reddy District.
5. The Joint Director Survey and Land Records, Narayanguda, Hyderabad, Telangana State.
6. The Regional Deputy Director, Survey and Land Records, Narayanguda, Hyderabad, Telangana State.
7. The Assistant Director, Survey and Land Records, Narayanaguda, Hyderabad.
8. The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad.
9. The Deputy Commissioner, GHMC, Circle No-3, LB Nagar, Ranga Reddy District.
10. The Syndicate Bank, Sainikpuri Branch, Hyderabad. Rep. by its Manager.
11. The Deputy Commissioner, GHMC, Circle No. 5, Saroorngar, Ranga Reddy District.
12. The Revenue Inspector, Saroorngar Mandal, Ranga Reddy District, Ranga Reddy.

13. The Assistant City Planner, GHMC, Circle No. 5, Saroornagar, 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 a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondent No.2 in illegally taking the possession of the petitioners land in Sy.No.7 Part, Plot No.97(A), admeasuring 262 Sq.yds situated at Ward No.11, Block No.13, New Green Hills Colony, Saroornagar Village and Mandal, under GHMC L.B.Nagar Circle, Ranga Reddy District by virtue of order in Proceedings dt.29/07/2022 vide No.LC2/65/0021/2020 and panchanama dt.27/10/2022 without issuing any show cause, as illegal, arbitrary, apart from violative of the Articles under 14 and 21 of the Constitution of India and against the settled principles of law and consequently set-aside the order in Proceedings dt.29/07/2022 vide No.LC2/65/0021/2020 and panchanama dt.27/10/2022 by restoring the possession of the petitioners land in Sy.No.7 Part, Plot No.97(A), admeasuring 262 Sq.yds situated at Ward No.11, Block No.13, New Green Hills Colony, Saroornagar Village and Mandal, under GHMC L.B.Nagar Circle, Ranga Reddy District

IA NO: 1 OF 2022

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 Respondent No. 13 to restore the possession of the petitioners land in Sy.No.7 Part, Plot No.97(A), admeasuring 262 Sq.yds situated at Ward No.11, Block No.13, New Green Hills Colony, Saroornagar Village and Mandal, under GHMC L.B.Nagar Circle, Ranga Reddy District, Pending disposal of WP 40455 of 2022, on the file of the High Court.

IA NO: 2 OF 2022

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 Stay all further proceedings pursuant to the impugned Proceedings dt. 29/07/2022 vide No.LC2/65/0021/2020 and panchanama dt. 27/10/2022, by suspending the same, Pending disposal of WP 40455 of 2022, 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 CHANDRASEN LAW OFFICES for the Petitioners, GP FOR REVENUE for the Respondent Nos.1 to 7 and Sri M Durga Prasad SC for GHMC for Respondent Nos.8, 9 and 11 to 13 and the Court made the following.

ORDER

The 1st petitioner is claiming that she had purchased plot No.97(A) admeasuring 262 square yards in Sy.No.7 Part situated at Ward No.11, Block No.13, New Green Hills Colony, Saroornagar Village and Mandal, GHMC L.B

Nagar Circle, Ranga Reddy District under a registered sale certificate bearing document No.4688 of 2018 dated 20.09.2018. According to the respondents, the said property is in Sy.No.8. In view of the said discrepancy, the 1st petitioner filed an appeal and the same is pending before the 5th respondent. Petitioners herein had filed Writ Petition No.34537 of 2021 to declare the action of the 5th respondent in not considering the said appeal and the same was disposed of by this Court vide order dated 17.12.2021 directing the 3rd respondent therein/5th respondent herein to dispose of the said appeal in accordance with law, by duly affording opportunity to the parties and pass orders as expeditiously as possible. According to learned Assistant Government Pleader for Assignment, the said appeal is pending as on today. During the pendency of the aforesaid appeal, the 2nd respondent had issued proceeding dated 29.07.2022 allotting the aforesaid property in favour of GHMC for the purpose of construction of Day Care center of Senior Citizen's Building.

In view of the same, matter requires examination.

Therefore, there shall be interim suspension of impugned proceedings dated 29.07.2022 issued by the 2nd respondent.

List on 26.12.2022.

//TRUE COPY//

SD/- K. SREERAMA MURTHY
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Department of Revenue, State of Telangana, Secretariat, BRKR Building, Hyderabad. (by RPAD)
2. The Collector, Ranga Reddy District. (by RPAD)
3. The Revenue Divisional Officer, Kanukur Division, Ranga Reddy District. (by RPAD)
4. The Mandal Revenue Officer, Saroorngar Mandal, Ranga Reddy District. (by RPAD)
5. The Joint Director Survey and Land Records, Narayanguda, Hyderabad, Telangana State. (by RPAD)
6. The Regional Deputy Director, Survey and Land Records, Narayanguda, Hyderabad, Telangana State. (by RPAD)
7. The Assistant Director, Survey and Land Records, Narayanaguda, Hyderabad. (by RPAD)
8. The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad. (by RPAD)
9. The Deputy Commissioner, GHMC, Circle No-3, LB Nagar, Ranga Reddy District. (by RPAD)

10. The Manager, Syndicate Bank, Sainikpuri Branch, Hyderabad. (by RPAD)
11. The Deputy Commissioner, GHMC, Circle No. 5, Saroornagar, Ranga Reddy District. (by RPAD)
12. The Revenue Inspector, Saroornagar Mandal, Ranga Reddy District, Ranga Reddy. (by RPAD)
13. The Assistant City Planner, GHMC, Circle No. 5, Saroornagar, Ranga Reddy District. (by RPAD)
14. One CC to SRI. CHANDRASEN LAW OFFICES Advocate [OPUC]
15. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad. [OUT]
16. One spare copy

HIGH COURT

KLJ

DATED:05/12/2022

NOTE: LIST ON 26.12.2022

ORDER

WP.No.40455 of 2022

INTERIM SUSPENSION

