

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

**FRIDAY, THE TWENTY FOURTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

WRIT PETITION NOs: 31998 and 32039 of 2025

WRIT PETITION NO: 31998 OF 2025

Between:

Basani (Beith) Swetha, W/o.Bharath Kumar Reddy Basani, Aged about 45 yrs, Occ. Software Engineer, R/o. 5Helen Ct.Parlin,N108859,USA. Rep by G.P.A. Holder Sri Kasu Prem Reddy,W/o.Kaspa Reddy, Aged about 55 yrs, Occ. Teacher, R/o.H.No.1-1-946,Siddarthanagar,Kazipet,Warangal District, Telangana State.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Hanumakonda District.
3. The Revenue Divisional Officer, Parkal Division, Hanumakonda District.
4. The Tahsildar and Joint Sub Registrar, Damera Mandal, Hanumakonda 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 writ order or direction more particularly in the nature of Writ of certiorari declaring the proceedings in Rf No. B/294/2020, Dated. 13.10.2025 and received on 18.10.2025 passed by 4th respondent is against the principles of natural justice, which is illegal, arbitrary unconstitutional, bad in law and consequentially set aside the proceedings Rf No. B/294/2020, Dated. 13.10.2025 and received on 18.10.2025 in the interest of justice.

IA NO: 1 OF 2025

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 suspend the order in Proceeding Rf No. B/294/2020, Dated. 13.10.2025 and received on 18.10.2025 passed by 4th respondent herein, pending disposal of main writ petition.

Counsel for the Petitioner: SRI VEERA BABU GANDU

Counsel for the Respondents: SRI L.RAVINDER, AGP FOR REVENUE

WRIT PETITION NO: 32039 OF 2025

Between:

Pillalamarri Pushpalatha, W/o. Sathish Kumar, Aged about 36 yrs, Occ. House Wife, R/o. H.No.23-6-130/2/13,1-88/A, Durgacevi Colony, Hunter Road, Hanumakonda, Waranagal Urban District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Hanumakonda District.
3. The Revenue Divisional Officer, Parkal Division, Hanumakonda District.
4. The Tahsildar and Joint Sub Registrar, Damera Mandal, Hanumakonda 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 writ order or direction more particularly in the nature of Writ of certiorari declaring the proceedings in Rf.No.B/294/2020, Dated. 13.10.2025 and received on 18.10.2025 passed by 4th respondent is against the principles of natural justice, which is illegal, arbitrary unconstitutional, bad in law and consequentially set aside the proceedings in Rf.No.B/294/2020, Dated. 13.10.2025 and received on 18.10.2025 in the interest of justice.

IA NO: 1 OF 2025

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 suspend the order in proceedings in Rf No.B/294/2020,Dated. 13.10.2025 and received on 18.10.2025 passed by 4th respondent herein, pending disposal of main writ petition.

Counsel for the Petitioner: SRI VEERA BABU GANDU

Counsel for the Respondents: SRI L.RAVINDER, AGP FOR REVENUE

The Court made the following: COMMON ORDER

THE HON'BLE SRI JUSTICE E.V.VENUGOPAL

WRIT PETITION Nos.31998 OF 2025 and 32039 of 2025

COMMON ORDER:

Since the issue involved in both these Writ Petitions is one and the same, they are being heard together and disposed of by way of a common order.

2. Writ Petition No.31998 of 2025 is filed under Article 226 of the Constitution of India, seeking the following relief/s:-

“... to issue writ order or direction more particularly in the nature of Writ of Certiorari declaring the proceedings in Rf No.B/294/2020, Dated 13.10.2025 and received on 18.10.2025 passed by 4th respondent is against the principles of natural justice, which is illegal, arbitrary, unconstitutional, bad in law and consequentially set aside the proceedings Rf No.B/294/2020, Dated 13.10.2025 and received on 18.10.2025 in the interest of justice and pass such other order or orders ...”

3. Writ Petition No.32039 of 2025 is filed under Article 226 of the Constitution of India, seeking the following relief/s:-

“... to issue writ order or direction more particularly in the nature of Writ of Certiorari declaring the proceedings in Rf No.B/294/2020, Dated 13.10.2025 and received on 18.10.2025 passed by 4th respondent is against the principles of natural justice, which is illegal, arbitrary, unconstitutional, bad in law and consequentially set aside the proceedings Rf No.B/294/2020, Dated 13.10.2025 and received on 18.10.2025 in the interest of justice and pass such other order or orders ...”

4. Heard Mr.Veera Babu Gandu, learned counsel for the petitioner and Mr.L.Ravinder, learned Assistant Government Pleader for Revenue representing learned Government Pleader for Revenue appearing for respondents.

For the sake of convenience, the facts in W.P.No.31998 of 2025 are discussed as hereunder:-

5. The brief facts of the case are that the petitioner, represented by G.P.A. Holder is the owner and possessor of the property admeasuring Ac.1.2800 gts in Sy.No.255/6/1 having pattadar pass book vide No.T22030100329 in Khata No.565 as per old revenue records including the old pattdar pass book vide Patta No. 2102370120368; that her name was mutated in the revenue records vide proceeding No.B/64/2016, dated 30.03.2017 issued by the respondent authorities; that the petitioner had acquired the above property from her vendors by name Thota Kamalamma and others vide registered document bearing No.4569/2016, dated 02.11.2016 in Sy.255/6/1 in respect of land admeasuring Ac.0.28 guntas of Mustyalapally Village, Damera Mandal (Erstwhile Athmakur Mandal), Hanumakonda District, Erstwhile Warangal Rural District; that the vendor was also having the valid title deed and patta passbook vide No.2102370120357 and same acquired by her husband; that the petitioner had acquired another property from her by name Manda Bhagya, W/o.Yugender vide registered

document bearing No.4570/2016, dated 02.11.2016 in Sy.255/6/1 to an extent of land admeasuring Ac.1.00 guntas situated at Mustyalapally Village of Damera Mandal (Erstwhile Athmakur Mandal), Hanumakonda District, Erstwhile Warangal Rural District; that the petitioner's vendor also acquired the property from Thota Narsaiah who is a husband and father of petitioner's vendor having valid title vide patta No.71; that before purchasing the above property from the petitioner's vendor, the revenue records and pahanies clearly show that the lands are specifically mentioned as patta lands and no where they are mentioned as assigned lands; that the petitioner never knew that the property purchased was assigned land; that after purchase of the said property, the respondent authority converted the lands to non-agricultural lands vide proceeding No.2201144210, dated 27.12.2022 and in the impugned notice the authorities stated that the said property is transferred in contravention of the provisions of the Sub-Section 3 of T.S. Assigned Land (POT) Act, 1977 (for short, "the Act"); that the said lands are not assigned lands covered by the provisions of Act No.9 of 1977; that the said lands are

mutated in the name of the petitioner under the provisions of A.P. Rights in Land and Pattadar Passbook Act, 1971 and Rules made thereunder. Aggrieved by the same, the petitioner filed the present Writ Petition.

6. Learned counsel for the petitioner submits that the respondent authorities have no jurisdiction to enforce the provisions of the Act against the petitioner herein who is the second purchaser and that no orders of resumption are passed invalidating the first transaction of the year, 2007 in which the vendor of the petitioner has purchased the land; that the impugned order is passed after nine (9) long years from the date of purchase of the land and the same is barred by limitation as well. He states that the impugned order is unsustainable in the eye of law and to substantiate his contention, he relied on the decision passed by this Court in **Dasari Narayana Rao Vs. Deputy Collector and Mandal Revenue Officer, Sherlingampally¹** and **Renew Wind Energy (TN2) Private Limited, Delhi Vs. Telangana**

¹ 2010 (6) ALD 536

Government and Others² and sought to allow the Writ Petition.

7. Opposing the same, learned Assistant Government Pleader for Revenue contends that if at all the petitioner is aggrieved by the impugned order, he is at liberty to file an Appeal before respondent No.3; that the petitioner, instead of availing the said remedy, rushed to this Court at a premature stage. Therefore, he seeks to dismiss this Writ Petition.

8. Having regard to the submissions of both the learned counsel and on perusal of the material available on record, this Court without making any observations on the merits or demerits of the case, deems it appropriate to direct the petitioner to file necessary application before the appellate authority/respondent No.3 and demonstrate his case. On filing such application, respondent No.3 is directed to cause enquiry by putting all the interested parties on notice and by affording them sufficient opportunity of hearing and pass appropriate orders, strictly in accordance with law. Till passing of such orders, both the parties are directed to maintain *status quo* obtaining as on today, in all aspect.

² 2020 (1) ALD 49 (TS).

9. With the above direction, these Writ Petition Nos.31998 and 32039 of 2025 are disposed of. No costs.

Miscellaneous petitions pending, if any, shall stand closed.

SD/-P.PONNA KRISHNA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, Secretariat, Hyderabad, State of Telangana.
2. The District Collector, Hanumakonda District.
3. The Revenue Divisional Officer, Parkal Division, Hanumakonda District.
4. The Tahsildar and Joint Sub Registrar, Damera Mandal, Hanumakonda District.
5. One CC to SRI VEERA BABU GANDU, Advocate [OPUC]
6. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT]
7. Two CD Copies

BSR
PSK



HIGH COURT

DATED: 24/10/2025

COMMON ORDER

WP.Nos.31998 and 32039 of 2025



**DISPOSING OF BOTH THE WRIT PETITIONS,
WITHOUT COSTS**

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Asu
24/11/25