

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**THURSDAY, THE TWENTY FOURTH DAY OF NOVEMBER TWO THOUSAND
AND TWENTY TWO**

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

WRIT PETITION NO: 42557 OF 2022

Between:

1. Kuthadi Narsimha, S/o. K. Anjaiah.
2. Bijile Krishna, S/o. B. Yellaiah.
3. Bijile Sudhakar, S/o. B. Narsimulu.

Petitioners

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Medchal Malkajgiri District.
3. The Tahsildar, Medipally Mandal, Medchal Malkajgiri District.
4. Hyderabad Metropolitan Development Authority, Represented by its Metropolitan Commissioner, Hyderabad.

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 respondents in obstructing the Petitioners to carry out the agricultural operations in respect of the Agricultural land to an extent of Ac.3.00 guntas each, in Sy.No. 62, of Medipally Village, Medchal Malkajgiri District, damaging the crops with JCBs by levelling the land and consequently direct the respondents to issue pattas to the Petitioners.

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 respondents not to interfere / dispossess the petitioners from their agricultural lands in Sy.No.62 of Medipally Village, Medchal Malkajgiri District to an extent of Ac. 3.00 each, pending disposal of WP 42557 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 Sri THADIKONDA KOTESHWARA PRASAD, Advocate for the Petitioners and GP FOR REVENUE Advocate for the Respondent Nos.1 to 3 and Sri V. Narasimha Goud, Standing Counsel for the Respondent No.4, the Court made the following.

ORDER:

Learned Assistant Government Pleader for Revenue accepts notice on behalf of respondent Nos.1 to 3 and Sri V.Narasimha Goud, learned Standing Counsel accepts notice on behalf of respondent No.4.

Both of them seek time to file counter, list on 28.12.2022.

Vide order dated 26.11.2002 in W.A.No.648 of 2002, a Division Bench of this Court directed the respondents therein including the Government to consider the case of the appellants herein for assignment of the lands in the background facts stated therein within three months from the said date. Division Bench also directed the respondents not to disturb the possession of the appellants over the subject property. According to Sri T.Koteshwara Prasad, learned counsel for the petitioner, respondent Nos.2 and 3 have not issued passbooks to the petitioners herein. They are in a possession of the property, there is a standing crop in the subject property. Even then, respondent Nos.2 to 4 are trying to dispossess the petitioners without following due procedure laid down under law.

In view of the same, matter requires examination.

Therefore, respondent Nos.2 to 4 are directed not to dispossess the petitioners from the subject property without following due procedure laid down under law.

//TRUE COPY//

SD/- K.VENKAIAH
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat, Hyderabad.
2. The District Collector, Medchal Malkajgiri District.
3. The Tahsildar, Medipally Mandal, Medchal Malkajgiri District.
4. The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, Hyderabad. (1 to 4 by RPAD)
5. One CC to SRI THADIKONDA KOTESHWARA PRASAD Advocate [OPUC]
6. Two CCs to GP FOR REVENUE, High Court at Hyderabad. [OUT]
7. One spare copy

mvj

HIGH COURT

KL,J

DATED:24/11/2022

list on 28.12.2022

ORDER

WP.No.42557 of 2022

DIRECTION

