

(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

WEDNESDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 34707 OF 2023

Between:

1. Pedeti Gopaiah, S/o Late Pentaiah.
2. Pedeti Ravinder, S/o Lingaiah.

...Petitioners

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Khammam District, Khammam
3. The Revenue Divisionat Officer, Khammam, Khammam District.
4. The Tahsildar, Khammam Urban, Khammam District.
5. The Municipal Commissioner, Office of the Municipal Office, Station Road, Khammam, Khammam District.
6. Kanakadindi Narasimha Murthy, S/o Late Kanakadindi Rajeswara Rao, Retired Government Servant, R/o H.No.9-8-22, Brahmana Bazar, Khammam, Khammam District.
7. Kanakadindi Rajasekhar, S/o Kanakadindi Narasimha Murthy, Occ . Private Employee, R/o H.No.9-8-22, Brahmana Bazar, Khammam, Khammam District.
8. Kanakadindi Rajyalakshmi Shakunthaia,, W/o Drona Venkateswara Rao, R/o Singareddypalem Village, Penphad Mandal, Nalgonda District.
9. Kanakadindi Rupavathi, W/o Kanakadindi Narasimha Murthy, Occ . House wife, R/o H.No.9-8-22, Brahmana Bazar, Khammam, Khammam District.

...Respondents

WHEREAS the Petitioner above named through his/her Advocate, JOGRAM TEJAVAT presented this 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 OF MANDAMUS or any other appropriate writ, order or direction to DECLARE the action of the 4th Respondent herein in rejecting the Petition dated 08.07.2023 & 13.07.2023 is illegal, arbitrary, biased, unjust, contrary Article 14, 21 and also 300-A of the Constitution of India and also against the Protected Tenancy Act, 1950 and also against the principles of natural justice and set aside the order No. RC.No.B/3478/2023 dated 18.11.2023 passed by the 4th Respondent herein and consequently direct the 2nd Respondent to conduct the fresh enquiry in the presence of both parties and issue the Pattadar Pass Book in favour of the both Petitioners in Survey No.58/7, Ac.0.15 Gts & Survey No.59/B, Ac.0.15 Gts.

situated at Pakabanda Village of Khammam Urban Mandal, Khammam District under the Protected Tenancy Act, 1950 in the interest of justice.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri JOGRAM TEJAVAT, Advocate for the Petitioner, GP for REVENUE takes notice for Respondent Nos.1 to 4 Sri P. Sridhar Rao SC for Respondent No.5 directed issue of notice to the Respondent Nos.6 to 9 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. Kanakadindi Narasimha Murthy, S/o Late Kanakadindi Rajeswara Rao, Retired Government Servant, R/o H.No.9-8-22, Brahmana Bazar, Khammam, Khammam District.
2. Kanakadindi Rajasekhar, S/o Kanakadindi Narasimha Murthy, Occ . Private Employee, R/o H.No.9-8-22, Brahmana Bazar, Khammam, Khammam District.
3. Kanakadindi Rajyalakshmi Shakunthaia,, W/o Drona Venkateswara Rao, R/o Singareddypalem Village, Penphad Mandal, Nalgonda District.
4. Kanakadindi Rupavathi, W/o Kanakadindi Narasimha Murthy, Occ . House wife, R/o H.No.9-8-22, Brahmana Bazar, Khammam, Khammam District.

are directed to show cause on or before 24.01.2024 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2023

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 official Respondents not to alienate the land in Survey No.58/A, Ac.0.15 Gts and Survey No.59/B, Ac.0.15 Gts. situated at Pakabanda Village of Khammam Urban Mandal, Khammam District to the third parties by the unofficial Respondents and to conduct the fresh enquiry on the representation of Petitioners dated 08.07.2023 and 13.07.2023 in the interest of justice. Pending disposal of WP No. 34707 of 2023, on the file of the High Court.

The Court made the following: ORDER

Issue notice to respondent Nos.6 to 9.

Learned counsel for the petitioners is permitted to take out personal notice to respondent Nos.6 to 9 by Registered Post with Acknowledgment Due and file proof of service by next date of hearing.

Respondent No.4 is directed not to entertain any transactions in respect of the land admeasuring Ac.0-15 guntas each in Survey Nos.58/A and 59/B situated at Pakabanda Village, Khammam Urban Mandal, Khammam District,

till next date of hearing.

Post on 24.01.2024.

//TRUE COPY//

SD/- C. PRAVEEN KUMAR
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, Secretariat, State of Telangana, Hyderabad.
2. The District Collector, Khammam District, Khammam
3. The Revenue Divisionat Officer, Khammam, Khammam District.
4. The Tahsildar, Khammam Urban, Khammam District.
5. The Municipal Commissioner, Office of the Municipal Office, Station Road, Khammam, Khammam District.
(FOR 1 TO 5 by RPAD)
6. Kanakadindi Narasimha Murthy, S/o Late Kanakadindi Rajeswara Rao, Retired Government Servant, R/o H.No.9-8-22, Brahmana Bazar, Khammam, Khammam District.
7. Kanakadindi Rajasekhar, S/o Kanakadindi Narasimha Murthy, Occ . Private Employee, R/o H.No.9-8-22, Brahmana Bazar, Khammam, Khammam District.
8. Kanakadindi Rajyalakshmi Shakunthaia,, W/o Drona Venkateswara Rao, R/o Singareddypalem Village, Penphad Mandal, Nalgonda District.
9. Kanakadindi Rupavathi, W/o Kanakadindi Narasimha Murthy, Occ . House wife, R/o H.No.9-8-22, Brahmana Bazar, Khammam, Khammam District.
(FOR 6 TO 9 by RPAD- along with a copy of petition and affidavit)
10. One CC to SRI. JOGRAM TEJAVAT, Advocate [OPUC]
11. Two CCs to GP FOR REVENUE, High Court at Hyderabad. [OUT]
12. One spare copy

HIGH COURT

BVRJ

DATED: 27/12/2023

LIST ON 24.01.2024.



NOTICE BEFORE ADMISSION

WP.No.34707 of 2023

DIRECTION