

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

TUESDAY, THE SECOND DAY OF JANUARY TWO THOUSAND AND TWENTY
FOUR

**:PRESENT:
THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA**

WRIT PETITION NO: 34823 OF 2023

Between:

1. Shaik Ramzan, S/o Lal Saheb, Occ. Agriculture, H. No. 1- 57/1, Ammapalem Village, Konijeral Mandal, Khammam District.
2. Shaik Hussain Saheb, S/o Lal Saheb, Occ. Agriculture, H. No. 1- 89/1, Ammapalem Village, Konijeral Mandal, Khammam District.
3. Shaik Sondu Saheb, S/o. Khasim Saheb, Occ. Agriculture, H.No. 1-67/1, Ammapalem Village, Konijeral Mandal, Khammam District.
4. Shaik Galib Pasha, S/o Moula Saheb, Occ. Agriculture, H. No. 1- 53, Ammapalem Village, Konijeral Mandal, Khammam District.
5. Shaik Lal Saidulu, S/o Hussain Saheb, Occ. Agriculture, H. No. 2- 79, Ammapalem Village, Konijeral Mandal, Khammam District.
6. Shaik Babu Saheb, S/o Lal Saheb, Occ. Agriculture, H. No. 1- 64, Ammapalem Village, Konijeral Mandal, Khammam District.
7. Shaik Madar, S/o. Lal Hussain, Occ. Agriculture, H. No. 1- 57/1, Ammapalem Village, Konijeral Mandal, Khammam District.

Petitioners

AND

1. State of Telangana, Rep. , by its Principal Secretary, Revenue Department, Having office at Secretariat Building, at Hyderabad
2. Telangana State Waqf Board, Rep. by its Chief Executive Officer, Hyderabad, Having office at Razzaq Manzil, Opposite Public Gardens, Hyderabad.
3. The District Collector, Collectorate, Khammam.
4. The Revenue Divisional Officer, Khammam, Khammam District.
5. The Thasildar, Konijerla Mandal, Khammam District.

Respondents

WHEREAS the Petitioners above named through their Advocate SRI SAINI ARAVIND 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, order or orders, one in the nature of writ of mandamus declaring the action of the respondents in issuing the Andhra Pradesh Gazette notification bearing number 4- A, Supplement to Part- II dated 25. 01. 1990, on Page No. 255, at Serial No. 10804, bearing Survey numbers 574 and 573 ((new Sy. No. 573 (1 to 11) and 574 (1 to 7)) dry admeasuring acers 16 and 06 gts., situated at Ammapalem Village, Konijerala Mandal of Khammam District, T. S., being in violation of the principles of natural justice as held by the Division Bench of this Honble Court in the State of Andhra Pradesh Vs. Gowra Reddy in W. A. No.

745/2002 and Telangana State Wakf Board Vs. Perugu Radha Madhavi and other in W. A. No. 318 of 2021 as illegal, arbitrary, unconstitutional and consequently;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri SAINI ARAVIND, Advocate for the Petitioners, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Revenue Department, State of Telangana, Having office at Secretariat Building, at Hyderabad
2. The Chief Executive Officer, Telangana State Waqf Board, Hyderabad, Having office at Razzaq Manzil, Opposite Public Gardens, Hyderabad.
3. The District Collector, Collectorate, Khammam.
4. The Revenue Divisional Officer, Khammam, Khammam District.
5. The Thasildar, Konijerla Mandal, Khammam District.

are directed to show cause on or before 06-02-2024 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 suspend the Andhra Pradesh Gazette notification bearing number 4- A, Supplement to Part- II dated 25- 01- 1990, on Page No. 255, at Serial No. 10804, bearing Survey numbers 574 and 573 ((new Sy. No. 573 (1 to 11) and 574 (1 to 7)) dry admeasuring acres 16 and 06 gts., situated at Ammapalem Village, Konijerla Mandal of Khammam District, T. S., in the interest of justice pending disposal of WP No. 34823 of 2023, on the file of the High Court.

The Court made the following:
ORDER:

Notice before admission.

In view of the Common Judgment, dated 21.03.2011 passed by this Court in W.A.Nos.745 and 868 of 2002, 778 & 885 of 2002 and 729 & 878 of 2002 and also the Common Judgment, dated 21.03.2011 in W.A.No.318 of 2021 and batch, there shall be interim suspension as prayed for, till 07.02.2024.

Learned Government Pleader for Revenue appearing for the respondents shall file counter, if any, by the next date of hearing.

Post on 06.02.2024.

SD/- T. JAYASREE
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana, Having office at Secretariat Building, at Hyderabad
2. The Chief Executive Officer, Telangana State Waqf Board, Hyderabad, Having office at Razzaq Manzil, Opposite Public Gardens, Hyderabad.
3. The District Collector, Collectorate, Khammam.
4. The Revenue Divisional Officer, Khammam, Khammam District.
5. The Thasildar, Konijerla Mandal, Khammam District. (1 to 5 by RPAD- along with a copy of petition and affidavit)
6. One CC to SRI SAINI ARAVIND Advocate [OPUC]
7. Two CCs to GP FOR REVENUE, High Court at Hyderabad. [OUT]
8. One spare copy

HIGH COURT

NBK,J

DATED:02/01/2024

Post on 06.02.2024

NOTICE BEFORE ADMISSION

WP.No.34823 of 2023

DIRECTION

