



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

FRIDAY, THE THIRTY FIRST DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

WRIT PETITION NO: 32793 OF 2025

Between:

1. Bandela Omprakash, S/o late B.R.Shiva Ram Aged. 70 years Occ. Business R/o 1147 Gaddi basthi Risala bazaar Secunderabad.
2. Mrs K.Vidya Rani, w/o K.Vishwanadham D/o late B.R.Shiva Ram Aged. 69 years Occ. Housewife R/o.H.No.30-1614/4/11, Surya Nagar, St.No.3, Mini Tankbund Road Malkajgiri, Hyderabad
3. Mrs Dhudala Vijaya laxmi, w/o Late D.B.Sugriva D/o late B.R.Shiva Ram Aged. 66 years Occ. Housewife R/o 1147 Gaddi basthi Risala bazaar Secunderabad.
4. Mrs Bachula Surender Padmavathi, W/o Bachula somaiah Surender Babu d/o late B.R.Shiva Ram Aged. 65 years Occ. housewife R/o 14-150 Rajasrinivas nagar near Manisha Apartment, Malkajgiri District.
5. B.S.Uday Prakash, S/o late B.R.Shiva Ram Aged 48 years Occ. Business R/o 1147 Gaddi basthi Risala bazaar Secunderabad.

...PETITIONERS

AND

1. The State of Telengana, Rep. by its Principal Secretary Revenue Department, Hyderabad.
2. The District Collector, Medchal-Malkajgiri District
3. The Revenue Divisional Officer, Medchal-Malkajgiri District
4. The Tahasildar, Kapra Mandal Medchal-Malkajgiri 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 an order or direction more particularly one in the nature of Writ of MANDAMUS By declaring the action of the Respondents in trying to dispossess the Petitioners from the Schedule Land admeasuring Ac.2.06 guntas in Sy no. 695 and Ac 3.10 guntas in Sy No. 696 totaling to Ac 5.16 guntas at Laxmi



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Narasimha Swamy colony, near Renuka Yellamma temple Jawahar Nagar Municipality, Kapra Mandal. R.R. District now designated as Medchal-Malkajgiri District is illegal, arbitrary, violative of Art.14, 21 and 300-A of the Constitution of India. and Consequently, direct the Respondents not to dispossess the Petitioners from the Petition Schedule Land Admeasuring Ac.2.06 guntas in Sy no. 695 and Ac 3.10 guntas in Sy No. 696 totaling to Ac 5.16 guntas at Laxmi Narasimha Swamy colony, near Renuka Yellamma temple Jawahar Nagar Municipality, Kapra Mandal. R.R. District now designated as Medchal- Malkajgiri District except through due process of law

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 direct the Respondents not to dispossess the Petitioners from Petition Schedule Land admeasuring Ac.2.06 guntas in Sy no. 695 and Ac 3.10 guntas in Sy No. 696 totaling to Ac 5.16 guntas at Laxmi Narasimha Swamy colony, near Renuka Yellamma temple Jawahar Nagar Municipality, Kapra Mandal R.R. District now designated as Medchal-Malkajgiri District except through due process of law

Counsel for the Petitioners : SRI G RAVI CHANDRAN

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

The Court made the following: ORDER

**THE HON'BLE SRI JUSTICE E.V.VENUGOPAL****WRIT PETITION No.32793 of 2025****ORDER :**

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking the following relief:

"...to issue an order or direction more particularly one in the nature of Writ of MANDAMUS By declaring the action of the Respondents in trying to dispossess the Petitioners from the Schedule Land admeasuring Acs.2.06 guntas in Sy.No.695 and Acs.3.10 guntas in Sy.No.696, totaling to Acs.5.16 guntas at Laxmi Narasimha Swamy colony near Renuka Yellamma temple Jawahar Nagar Municipality Kapra Mandal R.R.District now designated as Medchal-Malkajgiri District is illegal, arbitrary, violative of Art 14, 21 and 300A of the Constitution of India and Consequently direct the Respondents not to dispossess the Petitioners from the Petition Schedule Land Admeasuring Acs.2.06 guntas in Sy.no.695 and Acs.3.10 guntas in Sy.No.696, totaling to Acs.5.16 guntas at Laxmi Narasimha Swamy colony near Renuka Yellamma temple Jawahar Nagar Municipality Kapra Mandal R R District now designated as Medchal Malkajgiri District except through due process of law and pass..."

2. Heard Sri G.Ravi Chandran, learned counsel for the petitioners and Sri L.Ravinder, learned Assistant Government Pleader for Revenue, for the respondents and perused the record



3. Learned counsel appearing for the petitioners would submit that the Government of Andhra Pradesh by its G.O.Ms.No.25, Revenue Department dated 23.10.1952 has assigned the land to an extent of Acs.5,977.03 guntas in Jawahar Nagar Village to the Department of Labour. The Government later on framed operating guidelines in order to effectuate the purpose of rehabilitation of Ex-Servicemen *vide* G.O.Ms.No.743, dated 30.04.1963. The said G.O laid down the eligibility criteria. The assignment of agricultural land shall be made in favour of Ex-Servicemen subject to the extents and conditions laid down in the said G.O. The Government has issued another G.O.Ms.No.1573 Home (Labour-IV) Department dated 18.07.1966 suspending all the previous order and laid down conditions for selection of "Colonies for Ex-Servicemen".

4. Even before issuance of G.O.Ms.No 743, dated 30.04.1963 and G.O.Ms.No.1573 a co-operative society by name Jawahar Nagar, Land Colonization Co-operative Society was registered on 09.01.1958 *vide* Registration



No.20886 and the above mentioned extent of land was transferred in favour of the society. The said society appeared to have allotted land to 149 Ex-Servicemen. After allotting the land to Ex-Servicemen the society has lands to the landless poor. In that process the society has allotted Acs.2.06 guntas in Sy.No.695 and Acs.3.10 guntas in Sy.No.696, total to an extent of Acs.5.16 guntas at Jawahar Nagar, Shameerpet Mandal, Ranga Reddy District now Medchal-Malkajgiri District to the late father of the petitioners through allotment letters dated 07.04.1974. The passbooks were also issued to the father of the petitioners.

5. The father of the petitioners is an Ex-Serviceman having retired from service under discharge certificate issued by Vehicle Sub-depot, Secunderabad. During his lifetime in recognition of his services as an Ex-Serviceman, the Jawahar Nagar Land colonization, Medchal Taluk, Hyderabad with Registration No.20886 formed the purpose of providing land to the Ex-Serviceman allotted the above said land to him. The pahanies reflect the name of the father of the petitioners

as pattedar and possessor of the said extent of land. The father of the petitioners expired on 05.09.2006 leaving behind petitioners herein and also the mother of the petitioners and we succeeded to the said property. The Tahsildar Malkajgiri Mandal has issued Family Member Certificate dated 03.05.2012 showing the names of petitioners and their mother. Subsequently, the mother of the petitioners also expired on 11.06.2020 leaving behind the petitioners as legal heirs and successors to the said property.

6. While the petitioners are in continuous possession, the officials of respondent No.4 at the behest of unknown third parties are regularly surfacing at the said property and threatening to dispossess the petitioners from the said land without due process of law. The official respondents have no rights to resume the land and even electricity connection is provided to one room constructed in the said land *vide* Unique Service No.109427340 and Service No.2314 11957



and electricity bills are being remitted on a regular basis and the connection is in the name of mother of the petitioners.

7. The Revenue Authorities have orally informed the petitioners that the land in their possession is the Government land and informed that the petitioners have to vacate the land as soon as possible. Immediately, the petitioners raised objections stating that they are in continuous possession since 1974 and also shown all the documents held by the petitioners including Patta Passbook, electricity bills, tax payment receipts and also pahanies in the name of the father of the petitioners. Though the petitioners submitted all relevant documents about the possession, the respondents are trying to forcibly dispossess the petitioners from the subject lands. Hence, the present writ petition.

8. Learned Assistant Government Pleader for Revenue would submit that originally the Government embarked upon a proposal to assign the land situated at Jawahar Nagar Village to Ex-Servicemen. A Co-operative Society was



registered known as Jawahar Nagar Co-operative Land Colonization Society as per the orders of the government in their Memo dated 09.01.1958. Though land was transferred to the society, it was under the custody of Registrar of Co-operative Societies (RCS). The Society issued/allotted land to 149 Ex-Servicemen though there was no proper localization. When there were allegations of mismanagement against the Managing Committee of the Society, the District Collector by proceedings dated 27.10.1968 superseded the committee and appointed Co-operative Sub-Registrar as Special Officer to manage the affairs of the society. Later on, a representation given by the members of the society, the District Collector recommended to the Government for resumption of the land from the society under the custody of RCS and for assignment of land to the eligible Ex-Servicemen directly.

9. Learned Assistant Government Pleader further submitted that the proposal of the District Collector *vide* letter dated 01.04.1970 was considered by the Government



who accepted the same and issued orders in G.O.Ms.No.17, dated 05.01.1976. Accordingly, an enquiry was conducted and identified the eligible beneficiaries for the allotment of land and list of 102 members were finalized. The name of the father of the petitioners was not found in the list of 102 assignees and the government never assigned the subject land to the father of the petitioners and the petitioners under guise of the present writ petition are planning to grab the vacant government land to an extent of Ac.0.10 guntas in Sy.No.695 and to an extent of Ac.0.20 guntas in Sy.No.696 of Jawahar Nagar Village. Hence, the writ petition is not maintainable and liable to be dismissed.

10. In the light of the aforesaid facts and circumstances of the case and upon perusing the material available on record, this writ petition is disposed of, directing the respondents to undertake the due process of law to evict the petitioners herein, if they are found in possession of the subject land and follow such procedure, strictly in accordance with law by putting the petitioners and all affected parties on notice and



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affording them an opportunity. There shall be no order as to costs.

As a sequel, miscellaneous petitions, if any, pending, shall stand dismissed.

**SD/-P. PONNA KRISHNA
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary Revenue Department, The State of Telengana, Hyderabad.
2. The District Collector, Medchal-Malkajgiri District
3. The Revenue Divisional Officer, Medchal-Malkajgiri District
4. The Tahasildar, Kapra Mandal Medchal-Malkajgiri District
5. One CC to SRI. G RAVI CHANDRAN Advocate [OPUC]
6. Two CCs to GP FOR REVENUE ,High Court for the State of Telangana. [OUT]
7. Two CD Copies

PVL
BS



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HIGH COURT

DATED:31/10/2025

ORDER

WP.No.32793 of 2025



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

(10)

lcp
12/11/25