

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

FRIDAY, THE TWENTY THIRD DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO

:PRESENT:

**THE HONOURABLE SRI JUSTICE K.LAKSHMAN
WRIT PETITION NO: 45771 OF 2022**

Between:

1. Pathuri Raghu Reddy, S/o P. Malla Reddy
2. Pathuri Malathi, W/o Ramesh Reddy, (died)
3. D. Narsimha Reddy, S/o P. Narsimha Reddy, (died per L.Rs No.5 to 10)
4. D. Anja Goud, S/o P. D. Shivaram Goud
5. G. Vijaya, W/o Late Narasimha Reddy
6. G. Hanumanth Reddy, S/o G. Narasimha Reddy
7. P. Madhavi, (D/o. Late Narasimha. Reddy), W/o Venkatram Reddy
8. K. Manjula, (D/o. Late Narasimha Reddy), W/o. Venkatram Reddy
9. Mamatha, D/o Late Narasimha Reddy
10. G. Ashok Reddy, S/o Late Narasimha Reddy

Petitioners

AND

1. The State of Telangana, Rep by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Medak District,
3. Additional Collector, Medak District
4. Revenue Divisional Office, Narsapur Village and Mandal Medak District
5. The Tahsildar, Narsapur Village and Mandal Medal District
6. Kadas Premnath, S/o. Pandu, Occupation. Agriculture and Business
7. Kadas Prakash, S/o. Pandu, Occupation. Agriculture and Business
No. 6 and 7 are R/o. House No. 8-63, near Post Office, Narasapur Town, Medak District
8. R. Kamala Devi (died), per L. Rs. 10 and 11
9. R. Ranga Rao, S/o. P. Krishna Rao, Occupation. Agriculture
10. R. Radha Manohar, S/o. Seetha Rama Rao, Occupation. Agriculture
11. R. Ram Mohan Rao, S/o R. Krishna Rao, Occupation. Agriculture (Wrongly Mentioned Name as R. Radha Manohar, in Order)
12. R. Janaki Rama Rao, S/o. R. Krishna Rao, Occupation. Agriculture
13. R.V. Rama Rao, S/o. Late Sesha Rao, Occupation. Agriculture
14. R. Murali Krishna, S/o. Late Sesha Rao, Occupation. Agriculture and Business
No. 13 and 14 are R/o. Flat No. 8230, Jana Priya Maha Nagar, Meerpet, Saroornagar Mandal, RR District

Respondents

WHEREAS the Petitioners above named through their Advocate Sri Bidarkar Gopal 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 a Writ order or direction more particularly one in the nature of Writ of Mandamus declaring the order dt. 03-12-2022 in case No. F3/201/2019, passed by the 3rd Respondent as being illegal, arbitrary, violative of principles of natural justice and without jurisdiction;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Challa Dhananjaya, Senior Counsel representing Sri Bidarkar Gopal Advocate for the Petitioners and AGP for Revenue, who accepts notice on behalf of respondents 1 to 5 and Sri J Prabhakar, Senior Counsel representing Sri Suresh Poddur, Advocate, who accepts notice on behalf of respondents 6 & 7 and directed issue of notice to the Respondents 9 to 14 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. R. Ranga Rao, S/o. P. Krishna Rao, Occupation. Agriculture, R/o Nallvalli Village, Gummadidala Mandal, Sangareddy District
2. R. Radha Manohar, S/o. Seetha Rama Rao, Occupation. Agriculture, R/o Nallvalli Village, Gummadidala Mandal, Sangareddy District
3. R. Ram Mohan Rao, S/o R. Krishna Rao, Occupation. Agriculture R/o Nallvalli Village, Gummadidala Mandal, Sangareddy District
4. R. Janaki Rama Rao, S/o. R. Krishna Rao, Occupation. Agriculture R/o Nallvalli Village, Gummadidala Mandal, Sangareddy District
5. R.V. Rama Rao, S/o. Late Sesha Rao, Occupation. Agriculture, R/o. Flat No. 8230, Jana Priya Maha Nagar, Meerpet, Saroornagar Mandal, RR District
6. R. Murali Krishna, S/o. Late Sesha Rao, Occupation. Agriculture and Business , R/o. Flat No. 8230, Jana Priya Maha Nagar, Meerpet, Saroornagar Mandal, RR District

are directed to show cause on or before 25/01/2023 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 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 suspend the operation of order in case No. F3/201/2019 Dt. 03-12-2022 passed by the 3rd Respondent, pending disposal of the WP No. 45771 of 2022, on the file of the High Court.

The Court made the following

ORDER:

Learned Assistant Government Pleader for Revenue accepts notice on behalf of respondent Nos.1 to 5 and Sri J.Prabhakar, learned Senior Counsel representing Sri Suresh Poddur, learned counsel accepts notice on behalf of respondent Nos.6 and 7. Both of them seek time to get instructions/file counter.

Notice to respondent Nos.9 to 14.

Personal notice is permitted.

List on 25.01.2023.

Sri Challa Dhananjaya, learned Senior Counsel representing learned counsel for the petitioner pointed out several discrepancies in the impugned order and would submit that respondent No.3 passed the said order without considering the record.

Prima facie, the impugned order dated 03.12.2022 is not based on consideration of actual facts and record. In the order, it is specifically mentioned an appeal was preferred by appellants under Section 24 of Telangana (Telangana Area) Abolition of Inams Act, 1955 challenging the orders passed by RDO in file No.B/2080/2017 dated 02.02.2019 with a prayer to set aside the appeal and also for cancellation of ORC issued in favour of A.Satyanarayana who is predecessor in title of petitioner in file No.E/962/1984 dated 23.02.1984. Copy of ORC was not filed before respondent No.3 and before this Court. Even then, respondent No.3 allowed the appeal confirming the ORC issued by RDO in proceedings No.H/3061/3, dated 08.08.2005. Findings in the impugned order contradictory and they are not on consideration of actual facts and record.

In view of the same, matter requires examination.

Therefore, both the petitioners and unofficial respondents are directed to maintain *status quo* with regard to entries in the revenue record in respect of subject property.

In the meanwhile, learned Assistant Government Pleader for Revenue shall produce original file in respect of case No.F3/201/2019 dated 03.12.2022 of respondent No.3.

//TRUE COPY//

SD/-L.SHIVA PARVATHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana Secretariat, Hyderabad.
2. The District Collector, Medak District.
3. The Additional Collector, Medak District
4. The Revenue Divisional Office, Narsapur Village and Mandal Medak District
5. The Tahsildar, Narsapur Village and Mandal Medal District (1 to 5 by RPAD)
6. R. Ranga Rao, S/o. P. Krishna Rao, Occupation. Agriculture, R/o Nallvalli Village, Gummadidala Mandal, Sangareddy District
7. R. Radha Manohar, S/o. Seetha Rama Rao, Occupation. Agriculture, R/o Nallvalli Village, Gummadidala Mandal, Sangareddy District
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10. R.V. Rama Rao, S/o. Late Sesha Rao, Occupation. Agriculture, R/o. Flat No. 8230, Jana Priya Maha Nagar, Meerpet, Saroornagar Mandal, RR District

11. R. Murali Krishna,, S/o. Late Sesha Rao, Occupation. Agriculture and Business ,
R/o. Flat No. 8230, Jana Priya Maha Nagar, Meerpet, Saroornagar Mandal, RR
District (6 to 11 by RPAD along with a copy of petition and affidavit)
12. One CC to Sri Bidarkar Gopal Advocate [OPUC]
13. Two CCs to GP for Revenue, High Court at Hyderabad. [OUT]
14. One spare copy

HIGH COURT

KLJ

DATED:23/12/2022

POST ON 25-01-2023

NOTICE BEFORE ADMISSION

WP.No.45771 of 2022

STATUS QUO

