

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
MONDAY, THE TWENTY SIXTH DAY OF DECEMBER TWO THOUSAND AND
TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE K.LAKSHMAN
WRIT PETITION NO: 45898 OF 2022

Between:

Mrs.KiranBaiDochania, W/o. Ajay Kumar Dochania,

Petitioner

AND

1. The State of Telangana, Represented by its Principal Secretary, Revenue Department, Secretariat Buildings, Hyderabad.
2. The Tahasildar, Gummadidala Mandal. Sanga Reddy District, Telangana State.
3. The Mandal Surveyor, Gummadidala Mandal, Sanga Reddy District, Telangana State.
4. Mr.Kurma Papaiah, S/o. Beeraiah, Aged 55 years. R/o. Nallavalli Village, Gummadidala Mandal, Sanga Reddy District.

Respondents

WHEREAS the Petitioner above named through her Advocate SRI DEEPAK MISRA 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 an appropriate writ, order or direction, preferably in the nature of a writ of Mandamus declaring the action of the Respondent No.3 in contemplating to survey and proposing to undertake demarcation of the lands situated in Survey numbers 166, 175, 177, 178 and 179 of Nallavalli Village, Gummadidala Mandal, Sanga Reddy district to aid and support the illegal claim of the Respondent No.4 over the lands owned by the Petitioner and in furtherance to such ill design the Respondent No.3 issuing notice bearing number D/29512022 dated 01-11-2022 falsely mentioning that the Survey and demarcation is contemplated on the application of the Petitioner herein as illegal, smacks of arbitrary exercise of power, contrary to law and also in violation of the Petitioners fundamental rights guaranteed under the Constitution of India and consequentially direct the Respondent No.3 not to proceed with proposed Survey and demarcation of non-agricultural lands of the Petitioner situated in Survey Nos.175/E, 177/AA1, 177/A1/2, 177/A1/1, 177/AA1/1/1, 178/AA and Survey No.179/A1 of Nallavalli Village, Gummadidala Mandal, Sanga Reddy district 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 DEEPAK MISRA Advocate for the Petitioner and AGP for Revenue, who accepts notice on behalf of respondents 1 to 3 and directed issue of notice to the Respondent 4 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

Mr. Kurma Papaiah, S/o. Beeraiah, Aged 55 years. R/o. Nallavalli
Village, Gummadidala Mandal, Sanga Reddy District.

are directed to show cause on or before 10/01/2023 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 stay the effect and operation of notice bearing number D/295/2022 dated 01-11-2022 issued by the Respondent No.3 informing to the Petitioner that the Respondent No.3 will conduct survey and demarcation of lands situated in Survey numbers 166, 175, 177, 178 and 179 of Nallavalli Village, Gummadidala Mandel, Sanga Reddy district, pending disposal of the WP No. 45898 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 3.

Notice to respondent No.4.

Personal notice is permitted.

List on 10.01.2023.

Learned counsel for the petitioner would submit that petitioner herein never submitted any representation either online or offline with respondents with a request to conduct survey. Even then, respondent No.3 had issued notice dated 01.11.2022 fixing the survey on 24.11.2022 referring to name of the petitioner. Whereas, learned Assistant Government Pleader for Revenue would submit that petitioner herein had submitted F-line application dated 22.06.2022 and whereas learned counsel for the petitioner would submit that she never submitted any F-line application including aforesaid F-line application and petitioner is taking steps on the same.

In view of the same, matter requires examination.

Therefore, till then, there shall be stay of all further proceedings pursuant to notice No.D/295/2022 dated 01.11.2022.

//TRUE COPY//

**SD/- N. CHANDRASHEKAR RAO
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana Secretariat Buildings, Hyderabad.
2. The Tahasildar, Gummadidala Mandal. Sanga Reddy District, Telangana State.
3. The Mandal Surveyor, Gummadidala Mandal, Sanga Reddy District, Telangana State. (1 to 3 by RPAD)
4. Mr. Kurma Papaiah, S/o. Beeraiah, Aged 55 years. R/o. Nallavalli Village, Gummadidala Mandal, Sanga Reddy District. (by RPAD along with a copy of petition and affidavit)
5. One CC to SRI. DEEPAK MISRA Advocate [OPUC]
6. Two CCs to GP FOR REVENUE, High Court at Hyderabad. [OUT]
7. One spare copy

HIGH COURT

KLJ

DATED:26/12/2022

POST ON 10-01-2023

NOTICE BEFORE ADMISSION

WP.No.45898 of 2022

STAY

