

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE TWENTIETH DAY OF AUGUST

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NOS: 1224, 77, 8718 AND 8895 OF 2025

W.P.No.1224 of 2025

Between:

Dharavath Krishna, S/o. Nandya.

...Petitioner

AND

1. The State of Telangana, Tribal Welfare Department, Dr. B.R. Ambedkar Secretariat, Hyderabad. Rep. by Principal Secretary.
2. The Commissioner, Tribal Welfare Department, DSS Bhavan, Masab Tank, Hyderabad.
3. The Special Assistant Agent and Sub-Divisional Magistrate, Mobile Court, Bhadrachalam.
4. Dharavath Tharya, S/o. Gangya, Occ: Cultivation, R/o. Tekulapally Village and Mandal, Bhadradi - Kothagudem District.
5. Dharavath Nandya, S/o. Bhimsingh, Occ: Cultivation, R/o. Tekulapally Village and Mandal Bhadradi - Kothagudem District.
6. Dharavath Badya, S/o. Bhimsingh, Occ: Cultivation, R/o. Tekulapally Village and Mandal Bhadradi - Kothagudem District.
7. Dharavath Mangya, S/o. Bhimsingh, Occ: Cultivation, R/o. Tekulapally Village and Mandal Bhadradi - Kothagudem District.
8. Dharavath Balaji, S/o. Mangya, Occ: Cultivation, R/o. Tekulapally Village and Mandal Bhadradi - Kothagudem District.
9. Dharavath Chinneswara Rao, S/o. Badya, Occ: Govt. Teacher, R/o. Tekulapally Village and Mandal Bhadradi - Kothagudem District.
10. Dharavath Kokya, S/o. Nandya, Occ: Cultivation, R/o. Tekulapally Village and Mandal Bhadradi - Kothagudem District.

(Respondents 5 to 10 are not necessary parties to this Writ Petition)

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed thereto, the High Court may be pleased thereto issue writ order or direction more particularly one in the nature of Writ of Certiorari calling for the records pertaining to the Decree and Judgement dt. 28-02-2024 passed in O.S.No. 215 of 2013 on the file of the 3rd Respondent and declare the same as irregular, violative of principles of natural justice, contrary Telangana Agency Rules, 1924 and also contrary to the Articles 14, 21 and 300-A of the Constitution of India and set aside the same.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to stay of all further proceedings including execution of the Decree and Judgement dt. 28-02-2024 passed in O.S.No. 215 of 2013 on the file of the 3rd Respondent, pending disposal of WP.No.1224 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated: 13.02.2025, 02-05-2025, 10.06.2025, 08.07.2025, 24.07.2025, 06.08.2025, 13.08.2025 and 19.08.2025 made herein and upon hearing the arguments of SRI. T. VASANTHA RAO Advocate for the Petitioner, SRI. MOHAMMED IMFRAN KHAN, learned ADDITIONAL ADVOCATE GENERAL for the Respondent Nos.1 to 3 and SRI. PULLA RAO YELLANKI Advocate for the Respondent No.4,

W.P.No.77 of 2025

Between:

Dharavath Krishna, S/o. Nandya

...Petitioner

AND

1. The State of Telangana, Tribal Welfare Department, Dr. B.R. Ambedkar Secretariat, Hyderabad, Rep. by Principal Secretary.
2. The Commissioner, Tribal Welfare Department, DSS Bhavan, Masab Tank, Hyderabad.
3. The Special Assistant Agent and Sub-Divisional Magistrate, Mobile Court, Bhadrachalam.
4. Bhukya Yesu, S/o. Kristna, Occ: Cultivation, R/o. Tekulapally Village and Mandal, Bhadradi - Kothagudem District.
5. Dharavath Nandya, S/o. Bhimsingh, Occ: Cultivation, R/o. Tekulapally Village and Mandal Bhadradi - Kothagudem District.
6. Dharavath Badya, S/o. Bhimsingh, Occ: Cultivation, R/o. Tekulapally Village and Mandal Bhadradi - Kothagudem District.

7. Dharavath Mangya, S/o. Bhimsingh, Occ: Cultivation, R/o. Tekulapally Village and Mandal Bhadradi - Kothagudem District.
8. Dharavath Balaji, S/o. Mangya, Occ: Cultivation, R/o. Tekulapally Village and Mandal Bhadradi - Kothagudem District.
9. Dharavath Chinneswara Rao, S/o. Badya, Occ: Govt. Teacher, R/o. Tekulapally Village and Mandal Bhadradi - Kothagudem District.
10. Dharavath Kokya, S/o. Nandya, Occ: Cultivation, R/o. Tekulapally Village and Mandal Bhadradi - Kothagudem District.

(Respondent Nos.5 to 10 are not necessary parties to this Writ Petition).

...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 writ order or direction more particularly one in the nature of Writ of Certiorari calling for the records pertaining to the Decree and Judgement dt. 28-02-2024 passed in O.S.No. 214 of 2013 on the file of the 3rd Respondent and declare the same as irregular, violative of principles of natural justice, contrary to Telangana Agency Rules, 1924 and also contrary to the Articles 14, 21 and 300-A of the Constitution of India and set aside the same.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to stay of all further proceedings including execution of the Decree and Judgment dt. 28-02-2024 passed in O.S.No.214 of 2013 on the file of the 3rd Respondent, pending disposal of WP.No.77 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated: 03.1.2025 made in I.A.No.1 of 2025 and 04.02.2025, 07.04.2025 made in I.A.No.2 of 2025 and 22.04.2025, 13.06.2025, 08.07.2025, 24.07.2025, 06.08.2025, 13.08.2025 and 19.08.2025 made herein and upon hearing the arguments of SRI. T. VASANTHA RAO Advocate for the Petitioner, SRI. MOHAMMED IMRAN KHAN, learned ADDITIONAL ADVOCATE GENERAL for the Respondent Nos.1 to 3 and SRI. PULLA RAO YELLANKI Advocate for the Respondent No.4,

W.P.No.8718 of 2025

Between:

Dharavath Krishna, S/o. Nandya

...Petitioner

AND

1. The State of Telangana, Rep. by its Principal Secretary Tribal Welfare Department, Dr. B.R. Ambedkar Telangana State Secretariat, Hyderabad.
2. The Commissioner, Tribal Welfare Department, DSS Bhavan, Masab Tank, Hyderabad.
3. The Special Assistant Agent and Sub-Divisional Magistrate, Mobile Court, Bhadrachalam, Bhadradri Kothagudem District.
4. Bhukya Yesu, S/o. Kristna, aged about 64 years, Occ: Cultivation, R/o. Tekulapally Village and Mandal, Bhadradri - Kothagudem 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 writ, order or direction more particularly one in the nature of Writ of CERTIORARI calling for the records pertaining to the Decree and Judgment dt. 28-02-2024 passed in O.S.No. 502 of 2015 on the file of the 3rd Respondent and declare the same as irregular, violative of principles of natural justice, contrary to Telangana Agency Rules, 1924 and also contrary to the Articles 14, 21 and 300-A of the Constitution of India and consequently set aside the same.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to grant stay of all further proceedings including execution pursuant to the Decree and Judgment dt. 28/02/2024 passed in O.S.No.502 of 2015 on the file of the 3rd Respondent, pending disposal of WP.No.8718 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated: 25.03.2025, 22.04.2025, 13.06.2025, 08.07.2025, 24.07.2025, 06.08.2025, 13.08.2025 and 19.08.2025 made herein and upon hearing the arguments of SRI. T. VASANTHA RAO Advocate for the Petitioner and SRI. MOHAMMED IMRAN KHAN, learned ADDITIONAL ADVOCATE GENERAL for the Respondent Nos.1 to 3,

W.P.No.8895 of 2025

Between:

Dharavath Krishna, S/o. Nandya

...Petitioner

AND

1. The State of Telangana, Rep. by its Principal Secretary Tribal Welfare Department, Dr. B.R. Ambedkar Telangana State Secretariat, Hyderabad.
2. The Commissioner, Tribal Welfare Department, DSS Bhavan, Masab Tank, Hyderabad.
3. The Special Assistant Agent and Sub-Divisional Magistrate, Mobile Court, Bhadrachalam, Bhadradi Kothagudem District.
4. Dharavath Tharya, S/o. Gangya, aged about 60 years, Occ: Cultivation, R/o. Tekulapally Village and Mandal, Bhadradi - Kothagudem 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 writ, order or direction more particularly one in the nature of Writ of CERTIORARI calling for the records pertaining to the Decree and Judgment dt. 28-02-2024 passed in O.S.No. 503 of 2015 on the file of the 3rd Respondent and declare the same as irregular, violative of principles of natural justice, contrary to Telangana Agency Rules, 1924 and also contrary to the Articles 14, 21 and 300-A of the Constitution of India and consequently set aside the same.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to grant stay of all further proceedings including execution pursuant to the Decree and Judgment dt. 28-02-2024 passed in O.S.No. 503 of 2015 on the file of the 3rd Respondent, pending disposal of WP.No.8895 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated: 25.03.2025, 22.04.2025, 13.06.2025, 08.07.2025, 24.07.2025, 06.08.2025, 13.08.2025 and 19.08.2025 made herein and upon hearing the arguments of SRI. T. VASANTHA RAO Advocate for the Petitioner and SRI. MOHAMMED IMRAN KHAN, learned ADDITIONAL ADVOCATE GENERAL for the Respondent Nos.1 to 3, the Court made the following.

ORDER:

Heard learned counsel for petitioner and Sri Mohammed Imran Khan, learned Additional Advocate General appearing for respondents.

At request of the learned Additional Advocate General to get instructions from the Chief Commissioner of Land Administration (CCLA) to implement the orders of this Court in Kodimi Rajamma v. Principal Secretary, Home (Courts-A) Department(2001(1)ALT396) as regards entrustment of

powers conferred on the Sub-Divisional Magistrate of the Mobile Courts to the concerned Sub-Divisional Officers, post on 04.09.2025.

Interim order granted earlier shall stand extended till then.

//TRUE COPY//

**SD/-MOHD.ISMAIL
DEPUTY REGISTRAR**


SECTION OFFICER

To,

1. One CC to SRI. T. VASANTHA RAO, Advocate [OPUC].
2. Two CCs to THE ADDITIONAL ADVOCATE GENERAL, High Court for the State of Telangana at Hyderabad [OUT].
3. One spare copy

HIGH COURT

NBKJ

DATED:20/08/2025

POST THESE MATTERS ON 04.09.2025.

ORDER



WRIT PETITION NOs: 1224, 77, 8718 AND 8895 OF 2025

INTERIM ORDER EXTENDED