

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

FRIDAY, THE TENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

**THE HONOURABLE JUSTICE MOUSHUMI BHATTACHARYA
AND
THE HONOURABLE SRI JUSTICE GADI PRAVEEN KUMAR**

WRIT APPEAL NO: 1528 OF 2017

Writ Appeal under clause 15 of the Letters Patent against the order passed dated 02-06-2017 in W.P. No. 26495 of 2011. on the file of the High Court.

Between:

1. The District Collector, Hyderabad, Nampally Station Road, Hyderabad
2. Deputy Director of Survey & Land Records, Hyderabad District, at Hyderabad
3. The Mandal Revenue Officer, Golkonda Mandal, Hyderabad, District

...APPELLANTS /PETITIONERS

AND

1. Sri Ayub Kamal, S/o Gulam Moinuddin, Aged 65 years, Occ Land Lord Represented by his GPA Holder MA Jabbar S/o.Late Mohd.Khaja, aged about 50 years, R/o.1-5-13/1, Krishna Nagar Colony, Bholakpur, IVLusheerabad, Hyderabad

.....RESPONDENT/PETITIONER

2. M/s. Sandesh Estates (P) Ltd., company having his registered offices at Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad, represented by their Director Sri.G.Madhusudhan Reddy, S/o.G.Ram Reddy, aged 48 years, Occ Director of Company, R/o.Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad
3. M/s.Gajjala Ram Reddy Properties (P) Ltd., company having his registered offices at Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad, represented by their Director Sri.G.Madhusudhan Reddy, S/o.G.Ram Reddy, aged 48 years, Occ Director of Company, R/o.Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad
4. M/s.Mouna Estates Private Ltd., company having his registered offices at Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad, represented by their Director Sri.G.Madhusudhan Reddy, S/o.G.Ram Reddy, aged 48 years, Occ Director of Company, R/o.Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad
5. M/s.Sandesh Constructions Pvt. Ltd., company having his registered offices at Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad,

represented by their Director Sri.G.Madhusudhan Reddy, S/o.G.Ram Reddy, aged 48 years, Occ Director of Company, R/o.Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad

6. M/s.GVR Properties Private Ltd., company having his registered offices at Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad, represented by their Director Sri.G.Madhusudhan Reddy, S/o.G.Ram Reddy, aged 48 years, Occ Director of Company, R/o.Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad
7. M/s.Mouna Properties Private Ltd., company having his registered offices at Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad, represented by their Director Sri.G.Madhusudhan Reddy, S/o.G.Ram Reddy, aged 48 years, Occ Director of Company, R/o.Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad
8. M/s.G.S.R.Properties Private Ltd., company having his registered offices at Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad, represented by their Director Sri.G.Madhusudhan Reddy, S/o.G.Ram Reddy, aged 48 years, Occ Director of Company, R/o.Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad
9. M/s.Gajjala Constructions Private Ltd., company having his registered offices at Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad, represented by their Director Sri.G.Madhusudhan Reddy, S/o.G.Ram Reddy, aged 48 years, Occ Director of Company, R/o.Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad
10. M/s.Life Style Homes Private Ltd., company having his registered offices at Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad, represented by their Director Sri.G.Madhusudhan Reddy, S/o.G.Ram Reddy, aged 48 years, Occ Director of Company, R/o.Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad
11. M/s.GMR Constructions Private Ltd., company having his registered offices at Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad, represented by their Director Sri.G.Madhusudhan Reddy, S/o.G.Ram Reddy, aged 48 years, Occ Director of Company, R/o.Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad
12. M/s.Harini Resorts & Properties Private Ltd., company having his registered offices at Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad, represented by their Director Sri.G.Madhusudhan Reddy, S/o.G.Ram Reddy, aged 48 years, Occ Director of Company, R/o.Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad
13. M/s.GGR Properties Private Ltd., company having his registered offices at Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad, represented by their Director Sri.G.Madhusudhan Reddy, S/o.G.Ram Reddy, aged 48 years, Occ Director of Company, R/o.Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad
14. M/s.Mouna Constructions Pvt.Ltd., company having his registered offices at Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad, represented by their Director Sri.G.Madhusudhan Reddy, S/o.G.Ram Reddy, aged 48 years, Occ Director of Company, R/o.Plot No.1112, MLAs Colony, Road No.12, Banjara Hills, Hyderabad

15. Mrs. Punnam Premaleela, wife of Punnam Satyanarayana Reddy, Occ Housewife, R/o. Buznoor Village, Huzoorabad, Karimnagar District
16. Shaik Yousuf, S/o. Shaik Mahmood, Occ: Business, R/o. Himayath Nagar, Hyderabad
17. A.V. Jagan Mohan Reddy, S/o. A. Venkat Reddy, Occ: Business, R/o. H.No. 1-33, Malkaram Village, Chevella, Hyderabad

(Respondents 2 to 16 are impleaded as per Court Order dated 25.09.2012 in WPMPS 6553/2012, 16417/2012, 22795/2012 respectively)

...RESPONDENTS /RESPONDENTS

I.A. NO: 1 OF 2017(WAMP. NO: 2826 OF 2017)

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 the orders of Learned Single Judge dated: 02-06-2017 passed in W.P.No.26495 of 2011, pending disposal of the Writ Appeal

I.A. NO: 2 OF 2018

BETWEEN:

Sri Ayub Kamaal, S/o. Gulam Moinuddin,
Aged about 65 years, Occ: Land Lord
Represented by his GPA Holder, M.A. Jabbar,
S/o. Late Mohd. Khaja, Aged about 56 years,
R/o. 1-5-13/1, Krishna Nagar Colony,
Bholakpur, Musheerabad, Hyderabad.

.....PETITIONER/RESPONDENT

AND

1. The District Collector, Hyderabad District,
Office at Nampally Station Road,
Hyderabad.
2. The Deputy Director of Survey & Land Records,
Hyderabad District at Hyderabad.
3. The Mandal Revenue Officer,
Golkonda Mandal, Hyderabad District.

... RESPONDENTS APPELLANTS

4. M/s. Sandesh Estates (P) Ltd.,
5. M/s. Gajjala Ram Reddy Properties (P) Ltd.,
6. M/s. Mouna Estates Private Ltd.,
7. M/s. Sandesh Constructions Pvt. Ltd.,
8. M/s. GVR Properties Private Ltd.,
9. M/s. Mouna Properties Private Ltd.,
10. M/s. G.S.R. Properties Private Ltd.,
11. M/s. Gajjala Constructions Private Ltd.,
12. M/s. Life Style Homes Private Ltd.,
13. M/s. GMR Constructions Private Ltd.,
14. M/s. Harini Resorts & Properties Private Ltd.,
15. M/s. GGR Properties Private Ltd.,
16. M/s. Mouna Constructions Pvt. Ltd.,
17. Mrs. Punnam Premaleela, W/o. Punnam Satyanarayana Reddy, Occ: Housewife, R/o. Buznoor
Village, Huzoorabad, Karimnagar District.
18. Shaik Yousuf, S/o. Shaik Mahmood, Occ: Business, R/o. Himayath Nagar, Hyderabad.
19. A.V. Jagan Mohan Reddy, S/o. A. Venkat Reddy, Occ: Business, R/o. H.N. -33, Malkaram
Village, Chevella, Hyderabad.

(Respondents No. 4 to 19 are not necessary Parties in this Petition)

... RESPONDENTS RESPONDENTS

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 Collector, Hyderabad District, to take all steps necessary for giving effect to the report submitted by Deputy Director, Survey * Land record vide Letter No. A4/392/2002 dated 05.09.2009

**Counsel for the Appellant: SRI P. SRIDHAR REDDY SPECIAL GP
THE ADVOCATE GENERAL**

**Counsel for the Respondent No.1: SRI. VEDULA VENKATARAMANA
SENIOR COUNSEL REP SRI VEDULA SRINIVAS**

The Court made the following: ORDER

HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE JUSTICE MOUSHUMI BHATTACHARYA
AND
THE HON'BLE JUSTICE GADI PRAVEEN KUMAR

WRIT APPEAL No.1528 OF 2017

DATE: 10.04.2026

Between:

The District Collector,
Hyderabad District, and 2 others

... Appellants

And

Sri Ayub Kamaal, Hyderabad and 16 others

... Respondents

Mr. P. Sridhar Reddy, the learned Special Government Pleader representing the learned Advocate General appearing for the appellants.

Mr. Vedula Venkataramana, learned Senior Counsel representing the respondent No.1/writ petitioner.

JUDGMENT: (Per Hon'ble Justice Moushumi Bhattacharya)

1. The Writ Appeal arises out of an order dated 02.06.2017 passed by a learned Single Judge of this Court, as His Lordship then was, in W.P.No.26495 of 2011.

2. The respondent No.1/writ petitioner filed W.P.No.26495 of 2011 seeking a Writ of Mandamus against the failure of the appellants, namely, the District Collector, Hyderabad, the Deputy Director of Survey and Land Records, Hyderabad, and the Mandal Revenue Officer, Golkonda Mandal, Hyderabad, in

amending the concerned Revenue and Survey Records by recording the petitioner's name, in compliance with the order passed by a learned Single Judge of this Court in W.P.No.3766 of 1997 and affirmed by the Division Bench in W.A.No.435 of 1997. The writ petitioner also challenged the appellants' failure to conduct peg-marking on the writ petitioner's land, admeasuring 6403 square meters in Survey No.144, corresponding to TSLR No.12/1 of Shaikpet Village, Golconda Mandal, Hyderabad District, as illegal and arbitrary.

3. By the impugned order dated 02.06.2017, the learned Single Judge allowed W.P.No.26495 of 2011 filed by the respondent No.1/writ petitioner and directed the appellants/State of Telangana to amend the concerned Revenue and Survey Records by recording the name of the writ petitioner. The learned Single Judge further directed the appellants to put peg-marks on the writ petitioner's land as per the Survey Report of the respondent No.2/Deputy Director, Survey and Land Records, Hyderabad (appellant No.2 herein) dated 05.09.2009 forthwith.

4. Several Writ Petitions were disposed of by the impugned Common Order. The present Writ Appeal challenges the

impugned Common Order insofar as it relates to W.P.No.26495 of 2011 filed by the respondent No.1.

5. The learned Special Government Pleader appearing for the appellants argues that the respondent No.1/writ petitioner played fraud on the Court by misrepresenting the facts. It is contended that the petitioner's entire claim is based on a Certificate of Sale dated 22.04.1991 for an extent of Acs.3-37 guntas of land in Survey No.129/71 and that the petitioner is mischievously claiming Acs.6-37 guntas in the same Survey Number without any documentary evidence. It is also contended that the petitioner sold the entire Acs.3-37 guntas of land in Survey No.144 to one RVS Chowdary under a Sale Deed *vide* document No.1192 of 1962, thereby extinguishing the petitioner's title. The Special Government Pleader further submits that the petitioner concealed this alienation from the Writ Court and that the Surveyor submitted a false Report without any authority or direction from the Court. It is also argued that the petitioner is attempting to grab the land belonging to the Government since the property surveyed forms part of Survey No.403.

6. Learned Senior Counsel appearing for the respondent No.1/writ petitioner places relevant paragraphs from the

counter-affidavit filed by the appellants to the Writ Petition averring that 'the Court may pass such other orders as it deems fit and proper and in the interest of justice'. Senior Counsel submits that this averment shows that the appellants are not seriously challenging the impugned Common Order. Senior Counsel further refers to the Survey Report dated 05.09.2009 and urges that the said Survey Report does not confer or divest the State/appellants of any subsisting title and that the sole objective of survey and demarcation is the physical identification of the land through peg-marking.

7. We have heard the competing submissions made on behalf of the appellants and the respondent No.1/writ petitioner.

8. The facts relevant to the adjudication of the Writ Appeal are as follows:

9. The writ petitioner purchased Acs.6-37 guntas of land in Survey No.129/71, subsequently renumbered as Survey No.144 of Shaikpet Village, Banjara Hills, in an auction held by the Settlement Custodian of Evacuee Property, Bombay, on 22.04.1961. Pursuant to the said auction, a Sale Certificate was issued in favour of the writ petitioner specifically delineating the boundaries of the property.

10. One Narain @ Narayan Bhavanani filed C.S.No.118 of 1968 before the III Additional Judge, City Civil Court, Secunderabad, seeking perpetual injunction against the writ petitioner in respect of the land admeasuring Acs.0.15 guntas, bearing Plot No.7, Municipal No.8-2-120/102, situated in Survey No. 151/4, Road No.3, Jubilee Hills, Hyderabad. The Suit was decreed on 20.03.1971. Challenging the same, the writ petitioner filed an Appeal (C.C.C.A.No.94 of 1972) before the High Court. The Appeal was disposed of on 31.03.1975, whereby the decree was modified by adding the words: *'excluding the triangular cone added in pencil & measuring Ac.0.16 gts only and which is said to be overlapping in Sy.No.144 in Ex.B-19'* at the end of Clause No.1 of the decree of the Trial Court.

11. Narayan Bhavanani then filed E.P.No.45 of 1975 for execution of the decree in O.S.No.118 of 1968 and for delivery of possession of Plot No.7 bearing Municipal No.8-2-120/102. During the pendency of the Execution Proceedings, Narayan Bhavanani passed away and his legal representatives came on record. The decree was executed and possession was delivered to the legal representatives of the plaintiff including Mrs.Laxmi Bhavanani, wife of Narayan Bhavanani.

12. The writ petitioner filed E.A.No.38 of 1976 in E.P.No.45 of 1975 seeking redelivery of possession of property in Survey No.144 to him contending that the Civil Court granted permanent injunction and therefore the question of delivering possession to the plaintiff does not arise. The E.A. was allowed and redelivery of possession of property was ordered in favour of the writ petitioner. The writ petitioner thereafter filed E.P.No.33 of 1981 for execution of the order passed in E.A.No.38 of 1976 and the said E.P. was also allowed.

13. Laxmi Bhavanani filed C.R.P.No.1535 of 1972 against the order of redelivery passed in E.A.No.38 of 1976. The C.R.P. was dismissed and the said order became final. Accordingly, a portion of the land in Survey No.144 was delivered to the writ petitioner.

14. Subsequently, Laxmi Bhavanani filed E.A.No.15 of 1984 in E.P.No.33 of 1981 for redelivery of possession of Acs.3.15 guntas of land (described as Plot No.7 forming part of Survey No.151/4) asserting that the said land belongs to Narayan Bhavanani. The Executing Court found that the writ petitioner had taken possession of Acs.2.39 guntas of land belonging to Narayan Bhavanani over and above Acs.0.16 guntas of land, which was already delivered. Consequently, the Executing

Court allowed E.A.No.15 of 1984 directing the writ petitioner to redeliver the possession of Acs.3.15 guntas of land in Survey No.151/4, excluding a triangular portion admeasuring Acs.0.16 guntas overlapping with Survey No.144.

15. Challenging the order passed in E.A.No.15 of 1984, the writ petitioner filed C.R.P.No.317 of 1990 and the same was dismissed. The writ petitioner carried the matter to the Supreme Court in Civil Appeal No.5024 of 1991 which was disposed of on 18.12.1991 with a clarification that the triangular portion of Acs.0.16 guntas of land shall be treated as the property of the writ petitioner and it should be in his possession.

16. The Writ Petitioner filed W.P.No.3766 of 1997 questioning G.O.Ms.No. 461, by which the Government allotted 9039 sq. mts. of surplus land belonging to Mr. Narayan Bhuvanani in favour of the Andhra Pradesh Film Development Corporation ("Film Development Corporation"). The State, the Special Officer, Urban Land Ceiling ('ULC'), the Collector, Hyderabad District, the Mandal Revenue Officer, Hyderabad and the AP State Film Development Corporation were parties to the said Writ Petition.

17. The Writ Petition was allowed on 21.03.1997 relying on the view taken by the Supreme Court in Civil Appeal No.5024 of

1991 that a part of Sy.No.151/4 in Plot No.7 juts into Sy.No.144 in a triangular shape and cannot be treated as the land of Narayan Bhavanani. The Writ Court also held that the Government of Andhra Pradesh or any of the respondents to the Writ Petition cannot have any claim in respect of the land in Sy.No.144, which belongs to Ayub Kamal.

18. The Special Officer, ULC, along with three others, filed W.A.No.435 of 1997, which was dismissed on 04.07.1997. A Review Petition filed against the aforesaid order was also subsequently dismissed.

19. The Writ Petitioner filed W.P.No.26413 of 2001 against the Government and Smt. Laxmi Bhavanani and her family members questioning the FIR registered by the Station House Officer ('SHO'), P.S. Banjara Hills and for a direction to refrain the respondents from interfering with his possession of the land in Sy.No.129/71 (old Sy.No.144).

20. A compromise was entered into between Ayub Kamal and Smt. Laxmi Bhavanani during the pendency of the Writ Petition and the Writ Petition was hence disposed of on 11.10.2002 directing the District Collector, Hyderabad and the Commissioner, Survey, Settlement and Land Records, to conduct a Survey and demarcate Plot No.7 in Sy.No.151/4

belonging to the Bhavanani family and the land in Sy.No.144 (old) belonging to Ayub Kamal.

21. The Deputy Director, Survey and Land Records, conducted the Survey as per the directions of the High Court in W.P.No.26413 of 2001 and submitted a Report dated 05.09.2009 to the Collector, Hyderabad.

22. The Survey Report stated, *inter alia*, that there is no piece of Government land between Plot No.7 and Sy.No.144. Further, the southern part of Sy.No.144, after excluding the road and buildings, was demarcated as 6403 sq. mts. (in favour of the petitioner) and 760 sq. mts. as Government land.

23. Ayub Kamal accordingly filed W.P.No.26495 of 2011 (the Writ Petition in the present Appeal) seeking implementation of the Survey conducted by the Deputy Director on 05.09.2009 and for putting peg-marks in his land in accordance with the Survey Report.

24. The family members of Narayan Bhavanani also filed W.P.No.17503 of 2015 contending that the Survey Report dated 05.09.2009 cannot not be implemented. However, the said Writ Petition was dismissed by the impugned order dated 02.06.2017.

25. It would be clear from the above narration of facts that the issue in the Writ Petition was essentially a dispute between the Writ Petitioner (Ayub Kamal) and Narayan Bhavanani. However, in the present Appeal, the State has contested the impugned order essentially on the ground that it could not urge these points before the Division Bench in W.A.No.435 of 1997 and that the Writ Petitioner's claim for demarcation of land cannot be sustained.

26. It is also significant that Narayan Bhavanani is no longer in the picture as the Writ Appeals filed by his family, namely W.A.Nos.1660 of 2017 and 1646 of 2017, were subsequently dismissed as withdrawn by orders dated 19.03.2024 and 07.06.2024, respectively. Hence, there is no contest made by Narayan Bhavanani's family to the claim of the petitioner in respect of the subject land of 6403 sq. mts., as found in the Survey Report, as on date.

27. Moreover, the objections raised by the appellants/State in respect of the Survey Report of 05.09.2009 have been raised for the first time in the Writ Appeal in 2017. The appellants have in fact disputed the authority of the Deputy Director, Survey and Land Records, to conduct the Survey or referred to a Revenue Survey Village Map for demarcation of Sy.No.144

without challenging the said Survey Report by an independent Writ Petition. The State has also disputed the findings of the Supreme Court with regard to Ex.B19 (described the exhibit) as not being binding on it.

28. It is further significant that the appellants did not pray for dismissal of the Writ Petition even though they were parties before the learned Single Judge and in fact have made a specific statement in their Counter Affidavit that the Appeal Court may be pleased to pass any orders as it deems fit in the interest of justice. The appellants have not filed any Additional Counter thereafter to modify their stand.

29. Hence, we are of the considered view that the appellants cannot disown the Survey Report of the Deputy Director, Survey and Land Records, dated 05.09.2009, since the said Survey Report has not been challenged by the State or superseded at any point of time thereafter.

30. The contentions raised on behalf of the appellants are also untenable since the only direction given by the learned Single Judge was to implement the Survey Report and nothing more. It is worthwhile to mention that implementation of a Survey Report would not confer or denude the appellants of any right in respect of title to the land. The object of a Survey

demarcation is only to locate the land for the purpose of identification by putting peg marks. Hence, it is incomprehensible as to how the appellants would be prejudicially affected by the directions given in the impugned order since they have not claimed any title to the subject land of 6403 sq. mts. in R.S.No.144/129/71. In any event, the impugned order does not prevent the State from making a claim with regard to its title. The appellants have in fact admitted to their failing to bring facts and documents before the High Court in the earlier Writ Petition and Writ Appeal.

31. We also cannot ignore the settled position in law that the Appellate Court must restrain itself and interfere with the judgment passed by a learned Single Judge in intra-Court Appeals only if the judgment is perverse or suffers from an error apparent in law¹.

32. On the other hand, *S.P. Chengalvaraya Naidu (dead) by LRs v. Jagannath (dead) by LRs and others*² does not assist the appellants since paragraph No.5 of the said decision dwelt on the abuse of the process of Court by property grabbers, tax evaders and other unscrupulous persons. We fail to see how the respondent No.1/Writ Petitioner can be categorized under

¹ Airports Authority Of India v. Pradip Kumar Banerjee, (2025) 4 SCC 111

² (1994)1SCC1

any of the aforesaid descriptions. Similarly, *R. Hanumaiah and another v. Secretary to Government of Karnataka, Revenue Department and others*³ observed that Courts owe a duty to remain vigilant to ensure that public property is not converted into private property by unscrupulous elements. The appellants have not shown any act or evidence which would persuade us to label the petitioner as unscrupulous or as having grabbed public property through illegal means.

33. The Survey Report, which forms the basis of the Writ Petitioner's claim, makes it evident from the very first paragraph that the Survey was conducted by the Deputy Director, Survey and Land Records on the specific instructions issued by the District Collector, Hyderabad by letter dated 20.05.2009 for the purpose of demarcating land belonging to Ayub Kamal in Sy.No.129/71, correlating with Revision Sy.No.144 of Shaikpet Village. Hence, admittedly, the Writ Petitioner did not have any role in the conduct of the Survey or the findings/conclusions arrived at therein. The Survey Report remains available with the Office of the Deputy Director as on date.

34. Therefore, our reasons for confirming the impugned order of the learned Single Judge may be summed up thus:

³ (2010) 5 SCC 203

35. The Survey Report dated 05.09.2009, which formed the subject matter of the Writ Petition filed by the respondent No.1 with regard to demarcating the land belonging to the writ petitioner in Sy.No.129/71 (old) corresponding to Revision Sy.No.144 pursuant to the orders passed by this Court, remained un-challenged by the State from 2009 till 2015 (till filing of the Writ Petition). The Survey was done at the behest of the State respondents, namely, the District Collector, Hyderabad and the Deputy Director, Survey and Land Records. Hence, the State cannot ignore, dispute or seek to disown the Survey Report. Further, the Survey Report clearly mentions that 6403 square meters falling to the share of the petitioner is distinct and different from 760 square meters which was described as 'Government Land'. A map was enclosed with the Survey Report.

36. The only dispute made to the Survey Report came from the Bhavanani family in the form of W.P.No.17503 of 2015 which was dismissed by the impugned order dated 02.06.2017. The Bhavanani's Appeals from the dismissal were subsequently withdrawn on 19.03.2024 and 07.06.2024. Hence, the recordings in the Survey Report attained finality by reason of being un-challenged from 2009 to 2015.

37. The weakness of the appellants' argument would also be evident from the specific stand taken in the Counter that several points could not be urged before the Division Bench of this Court in W.A.No.435 of 1997. It is relevant that the said Writ Appeal filed by the Special Officer, Urban Land Ceiling, Hyderabad, was dismissed on 04.07.1997. Admittedly, the appellants did not carry the challenge from the order of dismissal to the Supreme Court. This Court also finds substance in the argument made on behalf of the writ petitioner that the appellants failed to challenge the Survey Report within the statutory timeframe of The Telangana Land Revenue Act, 1317-Fasli.

38. Last and most important, the appellants have not shown any fundamental prejudice to the order passed by the Single Judge whereby the concerned Authorities were directed to put peg-marks on the land as per the Survey Report dated 05.09.2009.

39. As already stated above, implementation of the Survey Report would not denude the appellants of any valuable rights with regard to title to the land in question. The appellants cannot be permitted at this belated stage to contest the Survey Report dated 05.09.2009, when the concerned private

respondents (Bhavanani's family) withdrew their Appeal to the impugned order passed by the learned Single Judge. Hence, there is no private party dispute in respect of the subject land of 6403 square meters claimed by the writ petitioners, as on date.

40. The above reasons persuade us to uphold the impugned order dated 02.06.2017 and conclude that the appellants have not been able to establish any case against the said impugned order to the extent of the directions issued by the learned Single Judge in W.P.No.26495 of 2011.

41. W.A.No.1528 of 2017, along with all connected applications, is accordingly dismissed. There shall be no order as to costs.

SD/- N.SRIHARI
DEPUTY REGISTRAR

//TRUE COPY//



SECTION OFFICER

To,

1. Two CCs to THE ADVOCATE GENERAL, High Court for the State of Telangana, at Hyderabad [OUT]
2. One CC to SRI. VEDULA SRINIVAS Advocate [OPUC]
3. Two CD Copies

B M
PSK



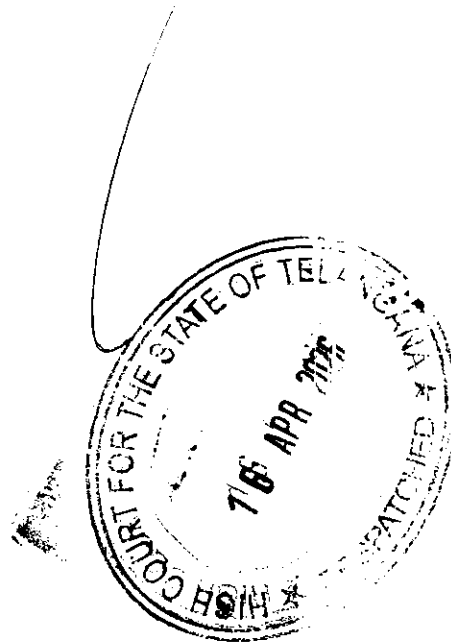
CCTODAY

HIGH COURT

DATED: 10/04/2026

JUDGMENT

WA.No.1528 of 2017



DISMISSING THE WRIT APPEAL WITHCUT COSTS

(6) — JKS
10/4/26