

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

MONDAY, THE FIRST DAY OF JUNE,
TWO THOUSAND AND FIFTEEN

:PRESENT:

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WP .NO: 13772 of 2015

Between:

Gondla Gangavva W/o late Sayanna,
aged 70 years, Allottee of Plot No.39, Adakaspally village,
Kotagir Mandal, Nizamabad District.

..... Petitioner

AND

- 1 The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
- 2 The District Collector, Nizamabad.
- 3 The Revenue Divisional Officer, Bodhan, Nizamabad District.
- 4 The Tahsildar, Kotagir Mandal, Nizamabad District.
- 5 The Village Revenue Officer, Adakaspally village, Kotgir Mandal, Nizamabad District.
- 6 The Sarpanch, Grampanchayat, Adakaspally village, Kotgir Mandal, Nizamabad District.
- 7 Smt. Laxmi Bai, Sarpanch, Grampanchayat, Adakaspally village, Kotgir Mandal, Nizamabad District.
- 8 K.Venkatesh, Sarpanch, Grampanchayat, Adakaspally village, Kotgir Mandal, Nizamabad District.

.....Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue any appropriate Writ, Order or direction more in the nature of Writ of Mandamus declaring the order passed by the Respondent No.3 vide Proceedings No.B/3842/2011 dated 29-12-2011 cancelling the assignment of house site patta granted in favour petitioner's husband vide proceedings vide No.9859/2007 dated Nil-7-2007 issued by the Respondent No.4 without issuing any notice to the husband of the petitioner who was alive as on the date of above mentioned proceedings and without affording an opportunity to him as illegal, arbitrary, violative of principles of natural justice and to set aside the same with a consequential direction not to interfere with the possession and enjoyment of the petitioner over the plot No.39 in Sy.No.36/AA situated at Adakaspally village, Kotgir Mandal, Nizamabad District.

WPMP.NO: 18053 of 2015

Petition under Section 151 of C.P.C. Praying that in the circumstances stated in the affidavit filed in the W.P., the High Court may be pleased to suspend the order passed by the Respondent No.3 vide Proceedings No.B/3842/2011 dated 29-12-2011, pending disposal of WP No.13772 of 2015 on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed herein and upon hearing the arguments of Sri V. Ravi Kiran Rao, Advocate for the Petitioner and the learned Government Pleader for Revenue (TG) for Respondent Nos.1 to 5, the Court made the following

ORDER:

Since the case of the petitioner is similar to the case in W.P.No.25887 of 2012, there shall be similar interim order in this writ petition also, which reads as under:-

“The impugned order does not mention that any notice was issued to the petitioner. Further, it is not mentioned as to which condition that petitioner has violated.

Hence, there shall be interim suspension as prayed for.”

Learned Government Pleader for Revenue takes notice and seeks time to file counter.

Post along with W.P.No.25887 of 2012 after four weeks.

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 The Principal Secretary, Revenue Department, State of Telangana, Secretariat, Hyderabad.
 - 2 The District Collector, Nizamabad.
 - 3 The Revenue Divisional Officer, Bodhan, Nizamabad District.
 - 4 The Tahsildar, Kotagir Mandal, Nizamabad District.
 - 5 The Village Revenue Officer, Adakaspally village, Kotgir Mandal, Nizamabad District.
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 - 8 K.Venkatesh, Sarpanch, Grampanchayat, Adakaspally village, Kotgir Mandal, Nizamabad District.
- (Addressees 1 to 8 BY RPAD)**
- 9 One CC to Sri V. Ravi Kiran Rao, Advocate (OPUC)
 - 10 Two CCs to the G.P. for Revenue (Telangana), High Court, Hyderabad. (OUT)
 - 11 One spare copy.

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HIGH COURT

VVA,J

DATED: 01-6-2015

**NOTE: Post along with WP No.25887 of 2012
after four weeks**

ORDER

W.P.NO. 13772 OF 2015

DIRECTION

HIGH COURT

Nnr

Date of Drafting : 02-06-2015

VVA,J

DATED: 01-6-2015

**NOTE: Post along with WP No.25887 of 2012
after four weeks**

ORDER

W.P.NO. 13772 OF 2015

DIRECTION