

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

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

WRIT PETITION NO: 11207 OF 2020

Between:

1. Renduchintala Vijaya Kumar, S/o. R. Nageswarao Rao, Aged about 45 years, Occupation: Purohit, R/o. H.No.11-156/3/A, Plot No.100A, Road No.5, Sowbhagyapuram, Mohan Nagar, Kothapet, Hyderabad.
2. Smt. K. Rajya Lakshmi, W/o. K. Subba Rao, Aged about 85 years, Occupation: Housewife, R/o. Plot No.8, Street No.1, Gautham Nagar, Vanasthalipuram, Hyderabad-70.
3. Smt. Pilli Uma Maheswari, W/o. Pilli Ramakrishna, Aged about 30 years, Occupation: Housewife, R/o. H.No.8-46/135, MCH Colony, Dilsukhnagar, Ranga Reddy District.

...PETITIONERS

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development Authority, 4th & 5th floor, 640 A.C. Guards, Lakdikapul, Hyderabad, Telangana 500038
2. The District Collector, Ranga Reddy District At Lakadikapool, Hyderabad-4
3. The Revenue Divisional Officer, Ibrahimpatnam Division, Bus Stop, Raghavendra Nagar Colony, Turkayamjal, Ranga Reddy District 501510
4. The Tahsildar, Abdullapurmet Mandal, Abdullapurmet, Hyderabad, Telangana 501505.
5. The Pedda Amberpet Municipality, Rep. by its Commissioner, Pedda Amberpet, Ranga Reddy District.
6. The Village Revenue Officer, Thattiannaram Village, Abdullapurmet Mandal, Ranga Reddy 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 a writ or order more particularly one in the nature of writ of mandamus declaring the acts of the respondents 3 to 6 as illegal, arbitrary, malafide and unconstitutional and set aside the same and the consequently direct the respondents not to interfere in peaceful possession and enjoyment of the plots 65, 66, 67, 11, 47 of the petitioners in a layout in Sy.No.76 of Thattiannaram Village, Abdullapurmet Mandal, Ranga Reddy District.

IA NO: 1 OF 2020

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 respondents not to interfere in peaceful possession and enjoyment of the plots 65, 66, 67, 11, 47 of the petitioners in a layout in Sy.No.76 of Thattiannaram Village, Abdullapurmet Mandal, Ranga Reddy District pending disposal of the writ petition.

Counsel for the Petitioner : SRI I. VENKATA SATYANARAYANA

Counsel for the Respondent No.1: GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT

Counsel for the Respondent Nos.2 to 4 & 6: GP FOR REVENUE

**Counsel for the Respondent No.5: SRI N. PRAVEEN KUMAR,
SC FOR MUNICIPALITY**

The Court made the following: ORDER

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.11207 OF 2020

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioners, wherein the following prayer is made:

"... to issue a writ or order more particularly one in the nature of writ of mandamus declaring the acts of the respondents 3 to 6 as illegal, arbitrary, malafide and unconstitutional and set aside the same and the consequently direct the respondents not to interfere in peaceful possession and enjoyment of the plots 65, 66, 67, 11, 47 of the petitioners in a layout in Sy.No.76 of Thattiannaram Village, Abdullapurmet Mandal, Ranga Reddy District and to pass such other order or orders ..."

2. Heard the learned counsel for both sides and perused the record.

3. Learned counsel for the petitioners would submit that the petitioners are the owners and possessors of lands in Plot Nos.65, 66, 67, 11 and 47 covered by Survey No.76 situated at Thattiannaram Village, Abdullapurmet Mandal, Ranga Reddy District, having purchased the same by way of registered Sale Deeds from its lawful owners. In the month of July, 2020, the respondents, without issuing notice to the petitioners, started levelling the lands in the subject plots for establishing a park. Therefore, petitioner No.1 submitted representations, dated 11.07.2020, before respondent Nos.3 to 5 requesting the authorities not to construct park in the subject lands belonging to the petitioners. But, till date, no action has been taken on the

said representations and ultimately, prayed to grant the relief sought for in this Writ Petition, as indicated above.

4. Learned Assistant Government Pleader for Revenue would submit that as per the Interim order, dated 29.07.2020, passed by this Court, survey was conducted by the authorities concerned, and a panchanama and plan were drawn on 25.11.2020, by complying the requirements of survey. Learned Assistant Government Pleader for Revenue produced the photocopies of panchanama and plan drawn on 25.11.2020 before this Court.

5. Learned counsel for the petitioners disputes the conduct of survey in respect of the land for which survey was sought.

6. A perusal of the photocopies of the panchanama and plan drawn on 25.11.2020, discloses that survey was conducted. Under these circumstances, when there is record to show that survey was conducted and panchanama was drawn on 25.11.2020, no orders are required to be passed in this Writ Petition. If the petitioners are aggrieved by the panchanama, dated 25.11.2020, they are at liberty to file an appeal before the authorities concerned.

7. Leaving it open to the petitioners to file an appeal before the authorities concerned questioning the panchanama, dated 25.11.2020, the Writ Petition is dismissed. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition
shall stand closed.

//TRUE COPY//

SD/-L.LAKSHMI BABU
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. One CC to Sri I. Venkata Satyanarayana, Advocate [OPUC]
2. One CC to Sri N.Praveen Kumar, SC for Municipality, Advocate [OPUC]
3. Two CCs to GP for Municipal Administration and Urban Development,
High Court for the State of Telangana at Hyderabad. [OUT]
4. Two CCs to GP for Revenue, High Court for the State of Telangana
at Hyderabad (OUT)
5. Two CD Copies

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HIGH COURT

DATED:17/12/2020

ORDER

WP.No.11207 of 2020



DISMISSING THE WP

WITHOUT COSTS

SSV
8 copies
Dt 05/01/2021