

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

MONDAY, THE FOURTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE SRI JUSTICE A. ABHISHEK REDDY

WRIT PETITION NO: 24636 OF 2021

Between:

Akula Yadaiah, S/o, Mallaiah, Aged about 61 years, Occ. Taddy Topper,
R/o. H. No. 3-110, Dacharam Village, Mothkur Mandal, Yadadri-Bhongir District.

...PETITIONER

AND

1. The State of Telangana, Rep by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Yadadri-Bhongir District.
3. The Tahsildar, Mothkur Mandal, Yadadri-Bhongir District
4. Smt. Jinukkula Lakshmi, W/o. Narsaiah Aged about Major years, Occ. Agriculture R/o. H. no. 3-41, Dacharam Village, Mothkur Mandal, Yadadri-Bhongir 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 an appropriate writ or order or direction more particularly, one in the nature of Writ of Mandamus, declaring the action of the 3rd Respondent in threatening to seize the bore-well of the petitioner in Sy.No.375, situated at Dacharam village, Mothkuru Mandal, Yadadri Bhongir District, without following due process, as illegal, arbitrary high-handed, unjust and consequently direct the 3rd respondent not to seize the bore-well, without due process of law.

IA NO: 1 OF 2021

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 herein, not to take coercive steps in respect of the bore-well of the petitioner in Sy. No.375 situated at Dacharam village, Mothkuru Mandal, Yadadri Bhongir District, pending disposal of Writ Petition.

Counsel for the Petitioner: SRI. POTTIGARI SRIDHAR REDDY

Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE

Counsel for the Respondent No.4: NONE APPEARED

The Court at the stage of admission made the following: ORDER

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No. 24636 of 2021

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue for Respondents 1 to 3. With their consent, the Writ Petition is disposed of at the admission stage.

2. Challenging the notice dated 19.07.2021 issued by the 3rd respondent - Tahasildar threatening to seize the bore-well of the petitioner in Survey No. 375, situated at Dacaram Village, Moothkuru Mandal, Yadadri-Bhongir District, without following due process, the Writ Petition is filed. The complaint of the petitioner is that he submitted the representation / explanation dated 23.07.2021 to the said notice, but however, the same has not been considered.

3. Without going into merits or demerits of the matter, having regard to the fact that the petitioner has already submitted his explanation to the notice dated 19.07.2021, the 3rd respondent - Tahsildar is directed to pass necessary orders thereon, duly taking into consideration the said explanation. It is needless to mention that before passing any such order, the 3rd respondent shall put the petitioner as well as the 4th respondent on notice and give them an opportunity of hearing. Till the final orders are passed, as afore-stated, the official respondents are directed not to take any coercive steps against the petitioner.

4. The Writ Petition is accordingly, disposed of. No costs.

5. Miscellaneous petitions, if any, shall stand closed.

**SD/-I.NAGALAKSHMI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Tahsildar, Mothkur Mandal, Yadadri-Bhongir District
2. One CC to Sri Pottigari Sridhar Reddy, Advocate [OPUC]
3. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
4. Two CD Copies
5. One Spare Copy

CHR

15/11/21 4/12

HIGH COURT

DATED:04/10/2021

ORDER

W.P.No.24636 of 2021.



**DISPOSING OF THE WRIT PETITION
AT THE STAGE OF ADMISSION
WITHOUT COSTS**

⑦
22/10/21
JH