

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

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION NO: 28480 OF 2021

Between:

THODETI RAJIAH, S/o Narayana, Aged about 40 years, Occ. Agriculture,
R/o H.No.2-64, Endapalli Village, Velgatoor Mandal, Jagtial District.

...PETITIONER

AND

1. THE STATE OF TELANGANA, Rep by its Principal Secretary,
Panchayath Raj Department, Secretariat, Hyderabad
2. THE DISTRICT COLLECTOR, (PANCHAYATHS), Jagtial District
3. THE DISTRICT PANCHAYATH OFFICER, Jagtial District
4. THE PANCHAYATH SECRETARY, Grampanchayath Allipur, Raikal
Mandal, Jagtial District.
5. THE TAHSILDAR, Raikal Mandal, Jagtial District
6. MOHD.KHAJA QUTHUBUDDIN and MAQBOOL, S/o Late Tharik Ali,
Aged about 57 years, Occ. Private Employee, R/o Allipur Village, Raikal
Mandal, Jagtial District.
7. KOLLURI RAJANNA, S/o Kolluri Gangaiah, Aged about 53 years, Occ.
Business, R/o H.No.7-18, Kachir Wada Locality, Allipur Village, Raikal
Mandal, Jagtial 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 pass an order, direction or writ more particularly one in the nature of writ of mandamus declaring the high-handed and illegal action of the Respondents more particularly the Respondent No.4 in issuing the Transfer of Property Certificate, Dated 13/10/2021 in File No.APP.64 in favour of Respondent No.7 in respect of non-existing house property bearing H.No.1-82/7, admeasuring 605 sq.yds situated at Allipur Village, Raikal Mandal, Jagtial District despite receiving the Legal Notice, Dated 05/11/2021 from the counsel for Petitioner apart from Objections, Dated 07/10/2021 more particularly Judgement and Decree Dated 21/06/2013 in O.S.No.90 of 2012 on the file of Junior Civil Judge, At. Jagtial and also Interim Orders Dated 27/11/2018 in I.A.No.998 of 2018 in O.S.No.348 of 2018 on the file of Principal Junior Civil Judge, Jagtial as it being illegal, arbitrary, unconstitutional and in violation of principles of natural justice and consequently set-aside the Transfer of Property Certificate, Dated 13/10/2021 in File No.APP.64 issued in favour of Respondent No.7 and direct the Official Respondents to remove the unauthorised structures carried out by the Respondent No.7 over the above said property

IA NO: 2 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 SUSPEND the Certificate of Transfer of Property Dated 13/10/2021 in File No.APP.64 issued by Respondent No.4 in favour of Respondent No.7

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 official Respondents to stop the construction activities carried out by the Respondent No.7 over the non-existing house property bearing H.No.1- 82/7, admeasuring 605 sq.yds situated at Allipur Village, Raikal Mandal, Jagtial District which forms part of Subject Property

Counsel for the Petitioner: SRI. G RAJESHWAR REDDY

Counsel for the Respondents No 1 to 3: GP FOR PANCHAYAT RAJ AND RURAL DEVELOPMENT

Counsel for the Respondent No 4: SRI G.NARENDER REDDY, SC FOR ZPP/MPP

Counsel for the Respondent No 5: GP FOR REVENUE

Counsel for the Respondents No 6 and 7: --

The Court made the following: ORDER

HONOURABLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.28480 of 2021

ORDER:

Learned counsel for petitioner seeks permission of the Court to withdraw this Writ Petition with liberty to avail the remedy under Section 121 of the Telangana Panchayat Raj Act, 2018.

Granting liberty as sought, this Writ Petition is dismissed as withdrawn. No costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

SD/- T.TIRUMALA DEVI.
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. One CC to Sri. G RAJESHWAR REDDY Advocate [OPUC]
2. Two CCs to GP for Panchayat Raj and Rural Development ,High Court for the State of Telangana. [OUT]
3. Two CCs to GP for REVENUE,High Court for the State of Telangana. [OUT]
4. One CC to Sri G Narendra Reddy, SC for ZPP/MPP (OPUC)
5. Two CD Copies
6. One Spare Copy.

rsn
SW

HV

HIGH COURT

DATED:31/12/2021

ORDER

WP.No.28480 of 2021



DISMISSING THE WRIT PETITION
WITHOUT COSTS

9
10/1/22
Hv4