

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

**THURSDAY, THE FOURTH DAY OF AUGUST
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION NO: 31660 OF 2022

Between:

Marri Nagaiah, S/o. Late Marri Ramaiah, Aged about 63 years, agriculture,
Resident of H.No. 1-76, Gareebpeta Rural, Kothagudem, Bhadradi-Kothagudem
District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad
2. The District Collector, Kothagudem, Bhadradi-Kothagudem District
3. The Revenue Divisional Officer, Kothagudem Division, Bhadradi-Kothagudem District.
4. The Tahsildar, Sujathanagar, Sujathanagar Mandal, Bhadradi-Kothagudem 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, order or direction more particularly one in the nature of writ of mandamus declaring action of The Tahsildar, Sujathanagar, 4th respondent herein, in interfering with petitioner peaceful possession and enjoyment of petitioner agricultural land in Sy. No. 1032/A an extent of Ac. 1-02 Gts, situated in Sujathanagar Village and Mandal, Bhadradi-Kothagudem District without any notice or proceedings initiated against petitioner and same being illegal, arbitrary and against to principles of natural justice and also against to

provisions of Act 30 of 2013 and Art. 300A of the Constitution of India, 1950 and consequently direct respondents not to interfere with petitioner peaceful possession and enjoyment of petitioner agricultural land in Sy. No. 1032/A an extent of Ac. 1-02 Gts. situated in Sujathanagar Village and Mandal, Bhadradri-Kothagudem District.

IA NO: 1 OF 2022

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 with petitioner peaceful possession and enjoyment of petitioner agricultural land in Sy. No. 1032/A an extent of Ac. 1-02 Gts. situated in Sujathanagar Village and Mandal, Bhadradri-Kothagudem District pending disposal of writ petition.

Counsel for the Petitioner: SRI R. R. KALYAN

Counsel for the Respondents: AGP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION No.31660 of 2022

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking to declare the action of the Tahsildar, the 4th respondent herein, in interfering with the petitioner's agricultural land in Survey No.1032/A to an extent of Ac.1-02 guntas, situated in Sujathanagar Village and Mandal, Bhadracharya-Kothagudem District, without any notice or proceedings initiated against the petitioner, as arbitrary and illegal.

2. Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue.

3. It is the case of the petitioner that he is the absolute owner and possessor of the aforesaid property. But, the 4th respondent without issuing any notice and without following due process of law, trying to dispossess the petitioner from the subject property.

4. Today, when the matter is taken up, learned Assistant Government Pleader for Revenue placed before this Court the written instructions received from respondent No.4. From the written instructions, it is seen that the petitioner is having a

pattadar passbook in respect of land admeasuring Ac.0-20 guntas, situated in Survey No.1032/AA and it is also seen that the petitioner has purchased an extent of Ac.0-22 guntas situated in Survey No.1032/AA/1 from one Medara Peda Khasim and the said extent of land is yet to be updated in the name of the petitioner. However, there is no dispute that the petitioner is in possession of the said extent of Ac.0-29 guntas of land situated in Survey No.1032. It is further stated in the written instructions that respondent No.4 is no way interfering with the patta land of the writ petitioner situated in Survey No.1032 and it is only the land situated in Survey No.31 to an extent of Ac.1-00 guntas situated at Nimmalagudem Village, was handed over to the Secretary, Gram Panchayat, Nimmalagudem to erect the Telangana Grameena Kreedha Praanganam.

5. In the light of categorical statement made in the written instructions furnished by respondent No.4, there is no much dispute involved and no further adjudication need be done.

6. In the circumstances, the Writ Petition is disposed of directing respondent Nos.2 to 4 not to interfere with the patta land claimed by the petitioner to an extent of Ac.1-02 guntas situated in Survey No.1032 (1032/AA and 1032/AA/1) of Sujathanagar Village and Mandal, Bhadrachalam District.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. No costs.

//TRUE COPY//

SD/-K.ONESIM
DEPUTY REGISTRAR
GJB
SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat, Hyderabad
2. The District Collector, Kothagudem, Bhadradi-Kothagudem District
3. The Revenue Divisional Officer, Kothagudem Division, Bhadradi-Kothagudem District.
4. The Tahsildar, Sujathanagar, Sujathanagar Mandal, Bhadradi-Kothagudem District.
5. One CC to SRI R. R. KALYAN, Advocate [OPUC]
6. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
7. Two CD Copies.
8. One Spare Copy

MP

GJP

HIGH COURT
DATED:04/08/2022



ORDER

WP.No.31660 of 2022

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

10
[Signature]
24/08/2022