

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

MONDAY, THE TWENTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 7502 OF 2023

Between:

1. Raipally @ Govindapuram Madhu@Madhukar, S/o: Late Mallaiah, aged about 35 years, Occ. agriculture
2. Raipally @ Govindapuram Pallavi, W/o: Madhukar, aged about 33 years, Occ. House Hold,
Both R/o H .No.5-2, Pedda Chelmeda Village, Munipally Mandal, Sanga Reddy Dist.

...PETITIONERS

AND

1. The State of Telangana, Rep by its Principal Secretary, Revenue Department B R K Bhavan, Saifabad Hyderabad
2. The District Collector, Sanga Reddy Dist
3. The Tahsildar, Munipally Mandal, Sanga Reddy Dist.
4. Pastapur Rukkamma, W/o: Ramchander, aged about 62 years, Occ. agriculture, R/o H.No.2-51/1, Potipally Village, Jharasangam Mandal, Sanga Reddy Dist.
5. Padakanti Manikyamma, W/o Mallaiah, aged about 58 years, Occ. agriculture, R/o H.No.2-86, Atmakur Village, Sadasivapet Mandal, Sanga Reddy Dist.
6. Garlapati Geethamma @ Vijaya Laxmi, W/o Narsimulu, aged about 55 years, Occ. agriculture, R/o H.No.2-48, Bardipur Village, Jharasangam Mandal, Sanga Reddy Dist

...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 to issue any appropriate Writ Order or Direction more particularly in the nature of Writ Order or Direction more particularly in the nature of Writ of Mandamus declaring the action of the respondents 1 to 3 in withholding

the payment of Rythu Bandhu amount to the account of the petitioners for Rabi Season-2022 in respect of the agriculture land in Sy.No.188E, an extent AC.0.18gts, 212A/1, an extent Ac.0.09, 114A2/2, an extent Ac.0.02, 211A2, an extent Ac.0.28, 212A/2, an extent Ac.1.30 and 214A/2, an extent Ac.2.05 of Chelmeda Kalan Village, Munipally Mandal, Sanga Reddy Dist based upon our Dharani passbook vide.T09140200696 and T09140201008 and Khata No.1007 and Khata No.60261 though the petitioners have been cultivating the land personally, by duly consideration the pending online application vide No. CI2300013421 and CI2300013418, dated. 14/03/2023 as illegal unlawful contrary to law and consequently direct the respondents 1 to 3 to pay the Rythu Bandhu Amount for Rabi Season-2022 as deposited in respect of the farmers in the State as per online application vide No. CI2300013421 and CI2300013418, dated. 14/03/2023.

IA NO: 1 OF 2023

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 to deposit the Rythu Bandhu amount for the current Rabi Season-2022 onwards in the account of the petitioners as usual in respect of the agriculture land in Sy.No.188E, an extent AC.0.18gts, 212A/1, an extent Ac.0.09, 114A2/2, an extent Ac.0.02, 211A2, an extent Ac.0.28, 212A/2, an extent Ac.1.30 and 214A/2, an extent Ac.2.05 of Chelmeda Kalan Village, Munipally Mandal, Sanga Reddy Dist based upon our Dharani passbook vide.T09140200696 and T09140201008 and Khata No.1007 and Khata No.60261 by duly considering the pending online application vide No.CI2300013421 and CI2300013418, dated. 14/03/2023 pending disposal of Writ petition.

Counsel for the Petitioners: SRI. NAMBI KRISHNA

Counsel for the Respondent No. 1 to 3: ASSISTANT GP FOR REVENUE

Counsel for the Respondent No. 4 to 6: NONE APPEARED

The Court made the following: ORDER

HON'BLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION No.7502 of 2023

ORDER:

Heard learned counsel for the petitioners and learned Assistant Government Pleader for Revenue.

2. In view of nature of relief sought, this Writ Petition is disposed of, at the admission stage, dispensing with notice to respondent Nos.4 to 6.

3. Petitioners herein are claiming that they are absolute owners and possessors of land admeasuring Ac.0-18 gts in Sy.No.188E, Ac.0-09 gts in Sy.No.212A/1, Ac.0-02 gts in Sy.No.114A2/2, Ac.0-28 gts in Sy.No.211A2, Ac.1-30 gts in Sy.No.212A/2 and Ac.2-05 gts in Sy.No.214A/2, situated at Chelmeda Kalan Village, Munipally Mandal, Sanga Reddy District. In proof of the same, they have filed copies of latest Pattadar passbook and title deed. Rythu Bandu benefit was stopped to the petitioners on the ground of pendency of a suit vide O.S.No.1119 of 2021 by respondent Nos.4 and 5 against the petitioners seeking partition and separate possession in respect of suit schedule property and there is an interim order in I.A.No.693 of 2021.

Therefore, they have submitted online application Nos.CI2300013421 and CI2300013418 dated 14.03.2023 with respondent No.2 with a request to pay the Rythu Bandu benefit. Despite receiving and acknowledging the said online application, respondent No.2 did not act upon the same. Therefore, the present Writ Petition.

4. Whereas, the learned Assistant Government Pleader for Revenue, on instructions would submit that the 2nd respondent will consider the said online applications submitted by the petitioners and pass appropriate orders in accordance with law.

5. On the pendency of the said suit and subsistence of interim order in I.A.No.693 of 2021, respondents cannot deny Rythu Bandu benefit to the petitioners herein.

6. In view of the said discussion, this Writ Petition is disposed of directing the 2nd respondent to consider the online application Nos.CI2300013421 and CI2300013418 dated 14.03.2023 submitted by the petitioners extend Rythu Bandu benefit to the petitioners in accordance with law by putting the petitioners and respondent Nos.4 to 6 on notice and affording them an opportunity. If, the 2nd respondent is not inclined to accept the

request made by the petitioners, he shall assign specific reasons and pass a reasoned order, communicate copy of the said order to the petitioners and complete the said exercise within a period of eight (08) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

As a sequel, the miscellaneous petitions, if any, pending in the Writ Petition shall stand closed.

SD/- N. CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department B R K Bhavan, Saifabad The State of Telangana, Hyderabad
2. The District Collector, Sanga Reddy Dist
3. The Tahsildar, Munipally Mandal, Sanga Reddy Dist.
4. One CC to Sri. Nambi Krishna, Advocate [OPUC]
5. Two CCs to GP for Revenue, High Court for the State of Telangana. [OUT]
6. Two CD Copies

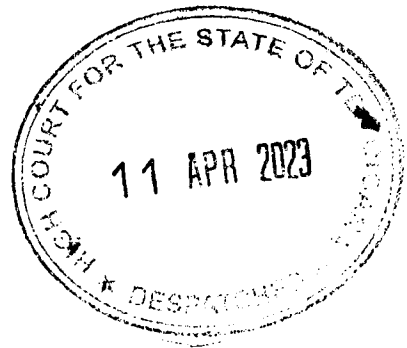
T J
GJP


HIGH COURT

DATED:20/03/2023

ORDER

WP.No.7502 of 2023



**DISPOSING OF THE WRIT PETITION AT THE
ADMISSION STAGE**

WITHOUT COSTS.

A handwritten signature in black ink, appearing to be 'V. Anand', written over a horizontal line.