

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

**SATURDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

WRIT PETITION NO: 28265 OF 2009

Between:

1. Smt. B. Krishnaveni, W/o. Venkateswarlu, Aged 27 years, Occ: Housewife/Agriculture,
2. Smt. B. Yellamma, W/o. Gaddaiah, aged about 35 years, Occ: Household/Agriculture,
3. Smt. B. Nagamani, W/o. Laxmaiah, aged about 38 years, Occ:Household/Agriculture.
4. Smt. B. Nagendramma, W/o. Ramesh, aged about 30 years, Occ: Household/Agriculture,.
5. B. Venkateswarlu, S/o. Pedda Ramaiah, aged about 38 years, Occ: Agriculture.
6. Smt. B. Seethamma, W/o. Sudhakar, aged about 35 years, Occ: Household/Agriculture,

All are R/o. Kannegundla (V), H/o. Thodellagudem, Dornakal (M) Warangal District.

...PETITIONERS

AND

1. The District Collector, Warangal.
2. The Revenue Divisional Officer, Mahabubabad, Warangal District.
3. The Tahasildar, Dornakal Mandal, At Dornakal, Warangal 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 writ or direction preferably writ of mandamus declaring the action of the respondent NO. 3 and his subordinates to trying to dispossess the petitioners from the land admeasuring Ac. 13-08 gts., in Sy.Nos.126/2 to 6 situated at Kannegundla (V), Dornakal (M) Warangal District, without issuing any

notice and without initiating any proceedings as per law as illegal, arbitrary and violative of principles of natural justice and consequently direct the respondents and their subordinates not to dispossess the petitioners in any manner

I.A. NO: 1 OF 2009(WPMP. NO: 36812 OF 2009)

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 stay the dispossession of the petitioners from the land admeasuring Ac. 13-08 gts., in Sy.Nos.126/2 to 6 situated at Kannegundla (V), Dornakal (M) Warangal District, pending the disposal of the writ petition in the interest of justice.

**Counsel for the Petitioners: SRI A. SRINIVAS ROHI, REPRESENTING FOR
SRI KOWTURU PAVAN KUMAR**

Counsel for the Respondents: GP FOR REVENUE

The Court made the following: ORDER

HON'BLE SRI JUSTICE J. SREENIVAS RAO

WRIT PETITION No.28265 of 2009

ORDER:

This Writ Petition is filed seeking the following relief:-

“...to issue writ or direction preferably writ of mandamus declaring the action of the respondent No.3 and his subordinates to trying to dispossess the petitioners from the land admeasuring Ac.13-08 gts in Sy.Nos.126/ 2 to 6 situated at Kannegundla (V) Dornakal (M) Warangal District without issuing any notice and without initiating any proceedings as per law as illegal arbitrary and violative of principles of natural justice and consequently direct the respondents and their subordinates not to dispossess the petitioners in any manner and to pass...”

2. Heard Sri A Srinivas Rohit, learned counsel representing Sri Kowturu Pavan Kumar, learned counsel for the petitioners and learned Assistant Government Pleader for Revenue, appearing for respondent Nos.1 to 3.

3. Learned counsel for the petitioner submits that the petitioners are absolute owners and possessors of the subject land to an extent of Acs.13-08 gts (dry land) in Sy.No.126/2 to 6, situated at Kannegundla Village, Dornakal Mandal, Warangal District (presently

Mahboobabad District). The Government had assigned the said land in favour of the petitioners and had also issued Pattas on 26.01.2005 under the scheme formulated by the Government of Andhra Pradesh to provide land to the weaker section communities and since then, the petitioners are in possession and enjoyment of the subject property, their names were also mutated in the revenue records and Pattadar Passbooks and Title Deeds were also issued in their names. However, respondent No.3 without issuing any notice is trying to dispossess the petitioners from the subject property. At this stage, the petitioners have approached this Court by filing the present Writ Petition.

4. A perusal of the records would reveal that this Court, while admitting the Writ Petition on 24.12.2009, passed an interim order directing the respondents not to dispossess the petitioners from the subject land without following the due process of law and the said order is still in force.

5. The respondents have not filed any counter-affidavit till date.

6. Learned Assistant Government Pleader for Revenue, appearing for the respondents submits that the respondents would follow the due procedure as contemplated under law.

7. In view of the above submission, without going into the merits of the case, the Writ Petition is disposed of with a direction to the respondents not to dispossess the petitioners from the subject property i.e., Acs.13-08 gts (dry land) in Sy.No.126/2 to 6, situated at Kannegundla Village, Dornakal Mandal, Warangal District (presently Mahboobabad District), without following the due process as contemplated under law.

8. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

SD/- K.SREERAMA MURTHY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The District Collector, Warangal.
2. The Revenue Divisional Officer, Mahabubabad, Warangal District.
3. The Tahasildar, Dornakal Mandal, At Dornakal, Warangal District.
4. One CC to Sri Kowturu Pavan Kumar, Advocate [OPUC]
5. Two CCs to GP for Revenue, High Court for the State of Telangana, at Hyderabad [OUT]
6. Two CD Copies

TJ
GJ

V. J.

HIGH COURT

DATED:16/12/2023

ORDER

WP.No.28265 of 2009



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.

⑨ VLV
3/1/24