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

THURSDAY, THE ELEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

WRIT PETITION NO: 2761 OF 2024

Between:

Sri. Mekala Dinesh, s/o Sri. Mekala Kumaraswamy Aged. 33 years, Occ Pvt.Service, R/o H.No. 2-33, Baopet Village, Elkathurthi mandal, Warangal(Urban district)

...PETITIONER

AND

1. The State of Telangana, Represented by its Principal Secretary Revenue Department, Secretariat Buildings, Hyderabad.
2. The State of Telangana, Represented by its Chief Commissioner for Land Revenue Abids, Hyderabad
3. The State of Telangana, Represented by its District Collector cum Authority under Special Tribunal Hanumkonda district.
4. The Revenue Divisional Officer, Elkaturthi mandal, Hanumakonda Hanumakonda District.
5. The Tahsildar, Elkaturthi mandal, Hanumakonda. Hanumakonda District.
6. Smt. Velpula Battukamma, W/o late Sri. Velpula Venkanna Aged 54 years, Occ. Housewife, R/o2-225, Baopet Village, Elkathurthi mandal, Warangal (urban)district
7. Sri. Velpula Raju,, S/o late Sri. Velpula Venkanna Aged 34 years, Occ. Noot known, R/o2-225, Baopet Village, Elkathurthi mandal, Warangal (urban)district
8. Ms Aniha, D/o Late Sri. Velpula Venkanna Aged. 32 years, Occ. Housewife, R/o2-225, Baopet Village, Elkathurthi mandal, Warangal (urban)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, writ or direction more in the nature of a writ of Certiorari, A) By calling for the records in file NO. Rc.NO. E3/Spl.Trib/185/2021(Old File NO. A/2685/2020 on the file of the 3rd respondent and B).

B).Consequently set-aside the orders in memo dated 07-08-2023/30-06-2021, issued by the 2nd respondent, confirming the mutation proceedings issued by the 5th respondent in file NO. B/1320/2020 as being arbitrary, violative of the procedure established under the ROR Act, violative of principles of natural justice apart from being violative of Articles 14,19,21 and 300-A of the Constitution of India. C). Direct the respondents to 2 to 5 to reconsider the mutation proceedings passed in file NO. B/1320/2020 in favour of late Sri. Velpula Venkanna in respect of land in Sy. NO. 511/A to an extent of 0-16gts, Baopet village, Elkaturthy mandal, Hanumakonda district, issued on the basis of the document dated 4-12-2013 relied upon by the respondents 6 to 8 and pass orders afresh, including directing delivery of possession of the property accordance with law D). Award costs of the Writ petition.

IA NO: 1 OF 2024

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 proceedings in file No. B/1320/2020 dated 02-07-2020 and the consequential orders passed in Rc.NO. E3/ Spl.Trib /185/2021(Old File NO. A/2685/2020 by the 3rd respondent as confirmed by the 2nd respondent in memo dated 07-08-2023/30-06-2021, issued by the 2nd respondent pending disposal of the present writ petition in the interests of justice.

Counsel for the Petitioner : SRI A.P.VENUGOPAL

Counsel for the Respondents No.1to5: SRI L.RAVINDER, AGP FOR REVENUE

Counsel for the Respondents No.6to9 : --

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE SRI JUSTICE E.V.VENUGOPAL

WRIT PETITION No.2761 of 2024

DATE OF ORDER: 11.12.2025

Between:

Sri Mekala Dinesh

...Petitioner

AND

The State of Telangana,
rep. by its Principal Secretary,
Revenue Department,
Secretariat Buildings, and others

...Respondents

ORDER :

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking the following relief:

"...to pass an order, writ or direction more in the nature of a writ of Certiorari,

A) By calling for the records in file NO. Rc.No.E3/Spl.Trib/185/2021 (Old File NO.A/2685/2020 on the file of the 3rd respondent and

B)Consequently set-aside the orders in memo dated 07-08-2023/30-06-2021, issued by the 2nd respondent, confirming the mutation proceedings issued by the 5th respondent in file NO. B/1320/2020 as being arbitrary, violative of the procedure established under the ROR Act, violative of principles of natural justice apart from being violative of Articles 14,19,21 and 300-A of the Constitution of India.

C). Direct the respondents to 2 to 5 to reconsider the mutation proceedings passed in file NO.B/1320/2020 in favour of late Sri. Velpula Venkanna in respect of land in Sy.No.511/A to an extent of 0-16gts, Baopet village, Elkaturthy mandal, Hanumakonda district, issued on the basis of the document dated 4-12-2013 relied upon by the respondents 6 to 8 and pass orders afresh, including directing delivery of possession of the property accordance with law

D). Award costs of the Writ petition

E). Grant..."

2. Heard Sri A.P.Venugopal, learned counsel appearing for the petitioner and Sri L.Ravinder, learned Assistant Government Pleader for Revenue, for respondent Nos.1 to 5 and perused the record.

3. Learned counsel appearing for the petitioner would submit that the father of the petitioner namely late Sri Mekala Kumara Swamy was the absolute owner and possessor of agricultural lands to an extent of Ac.0.20

guntas in Sy.No.121/23, Ac.0.16 guntas in Sy.No.151/A, Ac.0.5 ½ guntas in Sy.No.152/A, Ac.0.20 guntas in Sy.No.156/A4, Ac.0.16 guntas in Sy.No.511/A, Ac.0.15 guntas in Sy.No.523/F1 and Ac.0.03 ½ guntas in Sy.No.524/A1, total to an extent of Acs.2.16 guntas, situated at Baopet Village Shivar. The then revenue authorities recorded the name of the father of the petitioner in the revenue records and also issued pattedar passbooks and title deeds in his name. The father of the petitioner died on 22.03.2020 leaving behind his wife, two daughters, petitioner and younger son as his legal heirs. On affidavits being submitted by the family members, reporting "No Objection" for issuance of Viraasat proceedings before respondent No.5, the petitioner made an application to respondent No.5 on 08.05.2020 seeking to transfer the ownership rights in the revenue records, in respect of the above said property.

4. Respondent No.5 on the basis of the said consent affidavits, granted Viraasat proceedings on 19.06.2020 *vide* File No.1086/2020 in respect of agricultural lands to an

extent of Ac.0.20 guntas in Sy.No.121/23, Ac.0. 6 guntas in Sy.No.151/A, Ac.0.5 ½ guntas in Sy.No.152/A, Ac.0.20 guntas in Sy.No.156/A4, Ac.0.15 guntas in Sy.No.523/F1 and Ac.0.03 ½ guntas in Sy.No.524/A1, total to an extent of Acs.2.00 guntas, situated at Baopet Village Shivar. The name of the petitioner has been incorporated in all the revenue records and also 1-B (Namuna ROR), dated 11.08.2020) was also issued in the name of the petitioner. Respondent No.5 did not issue Viraasat proceedings in respect of land to an extent of Ac.0.16 guntas in Sy.No.511/A on the ground that the late husband of respondent No.6/father of respondent Nos.7 and 8 namely Sri Velpula Venkanna had filed an application (Form X) for mutation/issuance of "pattedar passbooks and title deeds" on the basis of simple sale deed dated 04.12.2013, claiming to have purchased the same from the father of the petitioner after paying consideration to him.

5. Upon knowing the same, the petitioner applied for the certified copies of the relevant documents relied upon by late Sri Velpula Venkanna under the RTI Act. On perusal of the

said documents, late Sri Velpula Venkanna has filed Form-10, before respondent No.5 with an agreement of sale dated 04.12.2013 for a sale consideration of Rs.4,00,000/-. But late Sri Velpula Venkanna has paid Rs.2,10,000/- to the father of the petitioner during his lifetime. Respondent No.5 by treating the agreement of sale dated 04.12.2013 proceeded further in issuing notices to the father of the petitioner which is evident from the notice issued in FORM 11 and FORM 12, under proceedings in File No.1320/2020, dated 02.07.2020. Respondent No.5 through his representatives got statements of the neighbours recorded on 15.07.2020 and thereafter issued proceedings of mutation in favour of late Sri Velpula Venkanna, incorporating his name in the revenue records and thereafter issued pattedar passbooks and title deeds in his favour in respect of land to an extent of Ac.0.16 guntas in Sy.No.511/A.

6. Aggrieved by the same, the petitioner invoked the jurisdiction of the learned Civil Judge at Huzurabad by filing a Suit for declaration ofo title and injunction in O.S.No.217/2020 (New No.1212/2022), together with an

application for injunction in I.A.No.585/2020, wherein an allegation of collusion in between respondent No.5 and late Sri Velpula Venkanna, in changing/mutating the revenue records at the instance of respondent No.5 on the basis of agreement of sale was entered. Till the date of death of the father of the petitioner on 22.03.2020 or as on the date of issuing Viraasat proceedings by respondent No.5, late Sri Velpula Venkanna has not taken any action, either to get his alleged simple sale deed dated 04.12.2013 regularized, or was he in possession of the disputed property which is evident from the records till 2020, which shows the name of the father of the petitioner.

7. Learned counsel appearing for the petitioner submitted that the trial Court dismissed the application for injunction by order dated 19.03.2021 observing that the petitioner failed to produce any document to show that he is possession of the schedule property but as per Ex.P.2, the unofficial respondent were the owners without considering the pleading made in support of the application for injunction and also the suit. The petitioner filed

C.M.A.NO.16/2021 and at that juncture, since the original defendant Sri Velpula Venkanna died, his legal heirs had to be brought on record as legal heirs, apart from transfer of the suit from Huzurabad to Hanumakonda. On the reconstitution of the districts, the CMA was renumbered as C.M.A.No.114/2022 and the suit was renumbered as O.S.No.1212/2021 and pending consideration before the learned I Additional Junior Civil Judge, Hanumakonda.

8. The father of the petitioner has also availed crop loan on 30.10.2019 for Rs.1,06,000/- against Sy.No.511/A, admeasuring Ac.0.16. The petitioner also invoked the jurisdiction of respondent No.3 being the statutory appellate authority in File No.A/2685/2020 (present Rc.No.E3/SplTrib/185/2021). The petitioner filed a complaint in December, 2022, before respondent No.2 informing about the collusion/irregularities committed by respondent No.5 in mutating the land in favour of late Sri Velpula Venkanna to law and the procedure contemplated under the ROR Act.

9. Respondent No.3 in the statutory appeal filed against the impugned proceedings of respondent No.5, has also failed to take an independent view on the allegations made by the petitioner, both by way of procedural illegalities apart from ground realities while passing the impugned orders in Memo dated 07.08.2023 in File No.RC.No.E3/SplTrb/185/2021, while relegating the petitioner to wait for the outcome of the civil suit, which has been necessitated only because of the wrong Acts of the respondents, in not following the procedure contemplated under the ROR Act, and not applying their mind to the allegations made in support of the case of the petitioner and directing the petitioner to wait for the outcome of the results of the suit, which is nothing but abuse of process of law. Hence, the present writ petition.

10. Learned Assistant Government Pleader for Revenue would submit that upon proper verification of the documents before it, respondent No.5 has mutated the name of Sri Velpula Venkanna in the revenue records and issued

pattedar passbooks in his name in respect of land to an extent of Ac.0.16 guntas in Sy.No.511/A.

11. In the light of the aforesaid facts and circumstances of the case and upon perusing the material available on record, this Court does not see any ground or reason to entertain the present writ petition. Since the parties have already approached the Civil Court, and the issue involved herein is already ceased of by the Civil Court, the petitioner can as well approach the Civil Court for redressal of his grievance. Under these circumstances, this Writ Petition is devoid of merits and is accordingly dismissed. There shall be no orders as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

Sd/-T.SRINIVASA REDDY
ASSISTANT REGISTRAR

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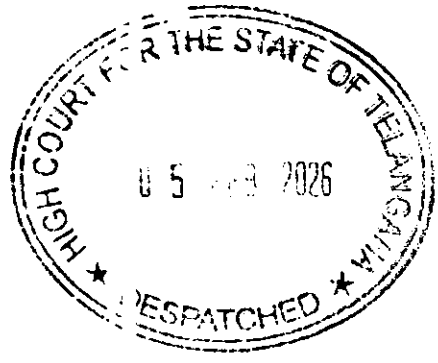
SECTION OFFICER

To,

1. The Principal Secretary Revenue Department, Secretariat, Telangana State, Hyderabad.
2. The Chief Commissioner for Land Revenue State of Telangana, Abids, Hyderabad
3. The District Collector cum Authority under Special Tribunal State of Telangana, Hanumkonda district.
4. The Revenue Divisional Officer, Elkaturthi mandal, Hanumakonda Hanumakonda District.
5. The Tahsildar, Elkaturthi mandal, Hanumakonda. Hanumakonda District.
6. One CC to SRI A.P.VENUGOPAL, Advocate. [OPUC]
7. Two CCs to GP FOR REVENUE, High Court for the State of Telangana. [OUT]
8. Two CD Copies.

HIGH COURT

DATED:11/12/2025



ORDER

WP.No.2761 of 2024

DISMISSING THE WRIT PETITION
WITHOUT COSTS

11 MT
5/2/26