IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE SEVENTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CIVIL REVISION PETITION NO: 984 OF 2026

Petition under Article 227 of the Constitution of India, aggrieved by the Order dated 31.01.2026 passed in IANo.195 of 2024 in OS.No.200 of 2024, on the file of the Court of the Court of the Agent to Government, Bhadradi Kothagudem, Bhadradri Kothagudem District.

Between:

1. Gopina Narayana, S/o late Venkanna, Aged about 61 years, Occu. Agriculture, (R/o Kotha Naramvarigudem Village, Aswaraopet Mandal, Bhadradri Kothagudem District.
2. Gopina Baburao, S/o Narayana, Aged about 31 years, Occu. Agriculture, R/o Kotha Naramvarigudem Village, Aswaraopet Mandal, Bhadradri Kothagudem District.
3. Gopina Ramakrishna, S/o Narayana, Aged about 29 years, Occu. Agriculture, R/o Kotha Naramvarigudem Village, Aswaraopet Mandal, Bhadradri Kothagudem District.

...PETITIONERS/RESPONDENTS/DEFEMDEMTS

AND

Gopina Nagulu, S/o late Venkanna, Aged about 66 years, Occu. Agriculture, R/o Kotha Naramvarigudem Village, Aswaraopet Mandal, Bhadradri Kothagudem District.

...RESPONDENT/PETITIONERS/PLAINTIFF

I.A. NO: 1 OF 2026

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 operation of the decree and order dated 31.01.2026, passed in IANo.195 of 2024 in OSNo.200 of 2024, on the file of the Court of Agent to Government, Bhadradri Kothagudem, Bhadradri Kothagudem District, pending disposal of the above CRP

Counsel for the Petitioners : **Sri Kondaparthi Srinivasa**

Counsel for the Respondents : **Ms. Devara Samhitha, counsel representing Sri Penuballi Ramesh Babu**

The Court made the following : **ORDER**

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CIVIL REVISION PETITION No.984 of 2026

Date: 17.04.2026

Between:

Gopina Narayana and two others

...petitioners/defendants

AND

Gopina Nagulu

...respondent/plaintiff

ORDER:

This Civil Revision Petition has been filed by the petitioners/defendants, aggrieved by the interim injunction order dated 31.01.2026 granted in favour of the respondent/plaintiff by the learned Agent to Government, Bhadradri Kothagudem in I.A. No.195 of 2024 in O.S. No.200 of 2024.

2. The facts giving rise to the filing of this Civil Revision Petition, in brief, are that the respondent/plaintiff filed O.S.No.200 of 2024 on the file of the learned Agent to Government, Bhadradri Kothagudem, against the

petitioners/defendants for grant of perpetual injunction restraining them from interfering with the suit schedule property i.e., land admeasuring Acs.5-05 guntas in Sy.No.191/1/37, situated at Maramvari Gudem village, Aswarao Peta Mandal, Bhadradri Kothagudem District. Along with the suit, the plaintiff filed I.A.No.195 of 2024 for grant of temporary injunction and the said I.A. was allowed on 31.01.2026. Hence, the present Revision Petition.

3. Heard Mr. Kondaparthy Srinivasa, learned counsel for the petitioners, and Ms. Devara Samhitha, learned counsel representing Mr. Penuballi Ramesh Babu, learned counsel for the respondent.

4. Learned counsel for the petitioners/defendants submitted that the learned Agent to Government, without properly considering the contentions raised by the petitioners and the material placed on record, allowed the application based on the alleged report submitted by the Tahsildar, dated 08.11.2024. Though the petitioners are the absolute owners and possessors of the subject property, the learned Agent to Government, without assigning any reasons, allowed the

application and the same is not sustainable under law. He further submitted that petitioner No.1 had earlier filed O.S.No.628 of 2020 on the file of the Special Assistant Agent-cum-Sub-Divisional Magistrate, Mobile Court, Bhadrachalam, against the respondent/plaintiff and others for grant of perpetual injunction in respect of the very same schedule property mentioned in the present case and the learned Special Agent was pleased to grant an *ad interim* injunction in I.A.No.676 of 2020 in O.S.No.628 of 2020 and the same is continuing. The said interim injunction is still in force and the suit is pending. Suppressing the above said facts, the respondent/plaintiff filed O.S.No.200 of 2024. Hence, the impugned order passed by the learned Agent to Government is liable to be set aside.

5. *Per contra*, learned counsel for the respondent submitted that the schedule property mentioned in O.S.No.628 of 2020 and O.S.No.200 of 2024 are distinct and different. The learned Agent to Government, upon considering the contentions raised by the respective parties, came to a conclusion that the respondent/plaintiff is in possession of the property and has been cultivating a standing crop (oil

palm plantation) for the last ten years. Hence, the learned Agent to Government has rightly allowed I.A.No.195 of 2024 and granted interim injuction and there are no grounds to interfere with the impugned order dated 31.01.2026 passed by the Agent to Government and the Civil Revision Petition is liable to be dismissed.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it is not in dispute that the respondent/plaintiff filed O.S.No.200 of 2024 for grant of perpetual injunction restraining the petitioners/defendants from interfering with the subject property. Along with the said suit, I.A.No.195 of 2024 was filed under Rule 42 (C) of the Agency Rules, 1924 (hereinafter referred to as "the Rules") for grant of temporary injunction. As per the said provisions, the Agent to Government ought to have recorded the reasons based upon the pleadings and documents filed by the respective parties while disposing of the application.

7. A perusal of the impugned order reveals that the learned Agent to Government recorded the arguments of the

respondent/plaintiff, petitioners/defendants and brief facts of the case and in the analysis portion, recorded the averments of the counter. The learned Agent to Government based upon the report submitted by the Tahsildar, came to a conclusion that the respondent/plaintiff is in possession of the schedule property and allowed the application, without assigning any reasons, much less valid reasons. It is relevant to mention that the learned Agent to Government has to adjudicate the proceedings under the Agency Rules as a Civil Court. Hence, this Court is of the view that the learned Agent to Government, while deciding the interlocutory application or the main case, has to assign reasons.

8. In the case on hand, it is already stated *supra*, the learned Agent to Government, without assigning reasons, allowed the application by recording the submissions, pleadings and facts of the case, and the report submitted by the Tahsildar, and the same is contrary to the principle laid down by the Hon'ble Apex Court in **State of Rajsasthan Vs. Rajendra Prasad Jain**[1], wherein it was held that the reason is

[1] (2008) 15 SCC 711

the hearbeat of every conclusion, and without the same, it becomes lifeless.

9. For the foregoing reasons as well as the precedent decisions, the impugned order dated 31.01.2026 passed by the learned Agent to Government, Bhadradri Kothagudem, is liable to be set aside, accordingly set aside. The learned Agent to Government, Bhadradri Kothagudem is directed to decide I.A.No.195 of 2024 afresh in accordance with law after giving an opportunity of hearing to both the parties, as expeditiously as possible, preferably within a period of one (1) month from the date of receipt of a copy of this order and till such time, both the parties are directing to maintain *status quo* in respect of the possession of the suit schedule property.

10. With the above direction, the Civil Revision Petition is disposed of accordingly. There shall be no order as to costs.

Miscellaneous applications, if any pending, shall stand closed.

SD/- P.C.SULEKHA DEVI
ASSISTANT REGISTRAR

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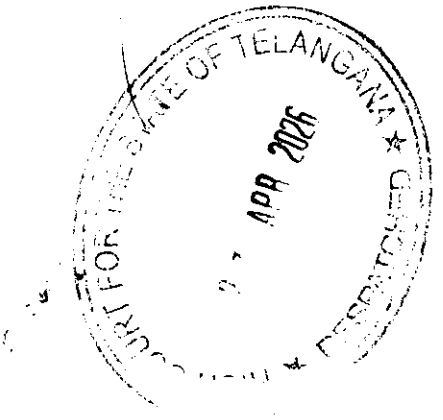
SECTION OFFICER

To,

1. The Agent to Government, Bhadradi Kothagudem, Bhadradri Kothagudem District.
2. One CC to SRI. KONDAPARTHI SRINIVASA Advocate [OPUC]
3. One CC to SRI. PENUBALLI RAMESH BABU Advocate [OPUC]
4. Two CD Copies

HIGH COURT

DATED: 17/04/2026



ORDER

CRP.No.984 of 2026

DISPOSING OF THE CRP

(6)
27/04/26
K.L