

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

FRIDAY, THE NINETEENTH DAY OF APRIL  
TWO THOUSAND AND TWENTY FOUR

**PRESENT**

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE  
AND  
THE HONOURABLE SHRI JUSTICE ANIL KUMAR JUKANTI**

**WRIT PETITION NO: 26689 OF 2015**

**Between:**

Berugu Rajaiah, S/o. Berugu Sammaiah, aged 48 years, Occ: Agriculture,  
R/o. Shyampet Village and Mandal, Warangal District.

**...PETITIONER**

**AND**

1. The State of Telangana, represented by its Secretary, Revenue Department, Secretariat, Hyderabad.
2. Upa-Lokayukta for the State of Andhra Pradesh and Telangana, Basheerbagh, Hyderabad - 500 063.
3. The Collector, Warangal, Warangal District.
4. The Tahsildar, Shayampet Mandal, Warangal District.
5. Nallella Devendar, S/o Sambaiah, aged 29 years, Occ Agriculture, R/o. Shayampet village and Mandal, 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 an order or direction more particularly one in the nature of Writ of Certiorari calling for the records relating to order in complaint No.2961/2013/B2 dated: 07-06-2014 passed by the 2<sup>nd</sup> respondent Upa-Lokayukta and quash the same holding as highly arbitrary, bad, illegal and without jurisdiction

**I.A. NO: 2 OF 2015(WPMP. NO: 34666 OF 2015)**

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 order in complaint No.2961/2013/B2 dated 07-06-2014 passed by the 2nd respondent Upa-Lokayukt, pending disposal of the writ petition

**Counsel for the Petitioner: SRI P. PRABHAKAR REDDY( NOT PRESENT)**

**Counsel for the Respondent No.1,3 & 4: GP FOR REVENUE ( NOT PRESENT)**

**Counsel for the Respondent No.2: SRI Y. RAVINDRA,  
SC FOR UPA-LOKAYUKTA( NOT PRESENT)**

**Counsel for the Respondent No.5: - - - -**

**The Court made the following: ORDER**

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE  
AND  
THE HON'BLE SHRI JUSTICE ANIL KUMAR JUKANTI**

**WRIT PETITION No.26689 of 2015**

**ORDER:** (per the Hon'ble the Chief Justice Alok Aradhe)

None for the parties.

2. In this Writ Petition, petitioner has challenged the validity of the order dated 07.06.2014 by which Upa-Lokayukta has held that respondent No.5 is the pattadar and in possession of land measuring Acs.3.16 guntas in Survey No.384/B situate at Shayampet Gram Village Revenue Sivar, Warangal, and has directed the Tahsildar to fix boundaries in respect of the aforesaid land with the assistance of Assistant Director of Survey and Land Records.

3. Section 7 of the Telangana Lokayukta Act, 1983, which provides for the matters which may be investigated by Lokayukta or Upa-Lokayukta, reads as under:

“7. (1) Subject to the provisions of this Act, the Lokayukta may investigate any action which is taken by, or with the general or specific approval of, or at the behest of,-

(i) a Minister or a Secretary; or

(ii) a Member of either House of the State Legislature;  
or

(iii) a Mayor of the Municipal Corporation constituted  
by or under the relevant law for the time being in force; or

(iii-a) a Vice Chancellor or a Registrar of a  
University;

(iv) any other public servant, belonging to such class or  
section of public servants, as may be notified by the Government  
in this behalf after consultation with the  
Lokayukta, in any case where a complaint involving an  
allegation is made in respect of such action, or such action  
can be or could have been, in the opinion of the Lokayukta,  
the subject of an allegation.

(2) Subject to the provisions of this Act, the Upa-  
Lokayukta may investigate any action which is taken by, or  
with the general or specific approval of, any public servant,  
other than those referred to in sub-section (1), in any case  
where a complaint involving an allegation is made in respect of  
such action, or such action can be or could have been, in the  
opinion of the Upa-Lokayukta, the subject of an allegation.

(3) Notwithstanding anything in sub-section (2), the  
Lokayukta may, for reasons to be recorded in writing,  
investigate any allegation in respect of an action which may  
be investigated by the Upa-Lokayukta under that sub-  
section, whether or not complaint has been made to the  
Lokayukta in respect of such action.

(4) Where two or more Upa-Lokayuktas are appointed  
under this Act, the Lokayukta may by general or special order,  
assign to each of them matters which may be  
investigated by them under this Act:

Provided that no investigation made by the Upa-  
Lokayukta under this Act and no action taken or thing done by  
him in respect of such investigation shall be called in question on  
the ground only that such investigation relates to a matter which is  
not assigned to him by such order."

4. Thus, from perusal of aforesaid Section, it is evident that  
Lokayukta or Upa-Lokayukta has no power to entertain the

complaint with regard to fixation of boundaries in respect of the subject land.

5. Therefore, the impugned order dated 07.06.2014 is hereby quashed.

6. In the result, the Writ Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

**SD/- P.Ch. NAGABHUSHAMBA  
ASSISTANT REGISTRAR**

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**SECTION OFFICER**

To,

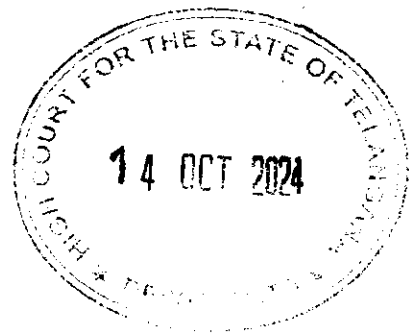
1. The Secretary, Revenue Department, The State of Telangana, Secretariat, Hyderabad.
2. Upa-Lokayukta for the State of Andhra Pradesh and Telangana, Basheerbagh, Hyderabad - 500 063.
3. The Collector, Warangal, Warangal District.
4. The Tahsildar, Shayampet Mandal, Warangal District.
5. One CC to SRI P. PRABHAKAR REDDY, Advocate [OPUC]
6. One CC to SRI Y. RAVINDRA, SC FOR UPA-LOKAYUKTA [OPUC]
7. Two CCs to GP FOR REVENUE, High Court for the State of Telangana. [OUT]
8. Two CD Copies

BN  
GJP



HIGH COURT

DATED:19/04/2024



ORDER

WP.No.26689 of 2015

ALLOWING THE WRIT PETITION  
WITHOUT COSTS

⑪  
14/10/24  
bx