

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

TUESDAY, THE FIFTEENTH DAY OF OCTOBER  
TWO THOUSAND AND TWENTY FOUR

**PRESENT**

**THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY**

**WRIT PETITION NO: 28446 OF 2024**

**Between:**

1. Md. Nanne Sab, S/o. Pedda Hussain Sab, Aged about 57 years, Occ. Agriculture, R/o. Doudarpally Village, Jogulamba Gadwal Mandal and District.
2. M. Mohammed @ Md. Rafeeq, S/o. PeddaHussain Sab, Aged about 55 years, Occ. Agriculture, R/o. Doudarpally Village, Jogulamba Gadwal Mandal and District.
3. Md. Subhan, S/o. PeddaHussain Sab, Aged about 48 years, Occ. Agriculture, R/o. Doudarpally Village, Jogulamba Gadwal Mandal and District.

**...PETITIONERS**

**AND**

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Telangana Secretariat, Hyderabad, Telangana-500063.
2. The Joint Collector, Jogulamba Gadwal District, Telangana.
3. The Revenue Divisional Officer, Jogulamba Gadwal Mandal and District, Telangana.
4. The Tahsildar cum Joint Registrar, Jogulamba Gadwal Mandal and District, Telangana.
5. Md. Moinuddin, S/o. Md. Basheer Miya, Aged about 54 years, Occ. Business, R/o. D.No.11-38/ 1, Devarkadra Village and Mandal, Mahabubnagar District, Telangana.

**...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 appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of Official respondents in carrying out mutation in favour of Respondent No.5 in respect of lands admeasuring Ac.6-13 Gts., in Sy.No.895 and Ac.5-07 Gts., in Sy.No.900 in Douvdarpally Village, Gadwal Mandal and District, without putting the petitioners on notice, in spite of the fact that the Appeal vide No.F2/523/2024 before the District Collector and Suit vide O.S. No.159/2019 before Civil Court is pending in respect of the same lands as illegal, arbitrary and against the principles of natural justice and consequently

direct the Respondent No.2 to dispose of the Appeal No.F2/523/2024 within a specified time period and also direct the Respondent No.4 to not to entertain any Sale/Gift transaction on the said lands till disposal of the Appeal.

**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 direct the official respondents not to entertain any transactions such as sale, lease, mortgage or exchange etc., in respect of land admeasuring Ac.6- 13 Gts., in Sy.No.895 and Ac.5-07 Gts., in Sy.No.900 in Douvdarpally Village, Gadwal Mandal and District, pending outcome of the main writ petition.

**Counsel for the Petitioners: SMT. RACHNA REDDY, SENIOR COUNSEL FOR  
SRI MOHD BASEER RIYAZ**  
**Counsel for the Respondent Nos.1 TO 4: AGP FOR REVENUE**  
**Counsel for the Respondent No.5: SRI K.GOVIND REDDY**

**The Court made the following: ORDER**

**THE HON'BLE SRI JUSTICE C.V.BHASKAR REDDY**

**WRIT PETITION NO.28446 of 2024**

**ORDER:**

This Writ Petition is filed seeking the following relief:

*"...to issue an appropriate Writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of Official respondents in carrying out mutation in favour of Respondent No 5 in respect of lands admeasuring Acs.6-13 Gts in Sy.No.895 and Acs.5-07 Gts in Sy.No.900 in Douvdarpally Village, Gadwal Mandal and District without putting the petitioners on notice in spite of the fact that the Appeal vide No.F2/523/2024 before the District Collector and Suit vide O.S.No.159/2019 before Civil Court is pending in respect of the same lands as illegal arbitrary and against the principles of natural justice and consequently direct the Respondent No 2 to dispose of the Appeal No.F2/523/2024 within a specified time period and also direct the Respondent No 4 to not to entertain any Sale/Gift transaction on the said lands till disposal of the Appeal...."*

2. Considered the submissions of Smt. Rachna Reddy, learned Senior Counsel appearing for the petitioners; learned Assistant Government Pleader for Revenue appearing for respondent Nos.1 to 4 and Sri K. Govind Reddy, learned counsel appearing for respondent No.5 and perused the record.

3. The case of the petitioners is that they are the owners and possessors of land admeasuring Acs.6-13 guntas in Sy.No.895 and Acs.5-07 guntas in Sy.No.900 in Douvdarpally Village, Gadwal Mandal and District, having purchased the same by way of registered sale deed bearing document No.72 of 1977 dated 12.01.1977 and their names are recorded as pattadars in

all the revenue records and the revenue authorities have also issued pattadar passbooks and title deeds in their favour.

4. Learned Senior Counsel appearing for the petitioners submitted that the petitioners have filed an application under the provisions of the Telangana State (Telangana Area) Abolition of Inams Act, 1955 (for short 'the Act') before respondent No.3 for issuance of Occupancy Rights Certificate over the above said property and the same was dismissed *vide* File No.B/686/2012, dated 14.08.2024. Learned Senior Counsel further submitted that aggrieved by the order, dated 14.08.2024 passed by respondent No.3, the petitioners have filed an appeal under Section 24(1) of the Act *vide* No.F2/523/2024 before the Additional Collector, Jogulamba Gadwal, along with I.As seeking suspension of the above said order. Learned Senior Counsel further submitted that in view of pendency of the appeal before the Additional Collector, Jogulamba Gadwal, at the instance of respondent No.5, who is a caveator, respondent No.4 is making efforts for mutation of name of respondent No.5 in the revenue records over the said property.

5. Admittedly, the petitioners have purchased the said property *vide* registered sale deed No.72 of 1977 dated 12.01.1977 and the respondent authorities have issued pattadar passbooks and title deeds in their favour and also

mutated their names in the revenue records *vide* Proc.No.B/4259/1987, dated 01.03.1988. However, since the issue raised in this writ petition is relating to dismissal of the application filed by the petitioners for issuance of Occupancy Right Certificate in respect of the subject property and since the said order of dismissal has been challenged by the petitioners by filing an appeal before the District Collector, *vide* No.F2/523/2024, which is pending for adjudication, this Court is of the opinion that the ends of justice would be met if the appellate authority is directed to dispose of the said appeal filed by the petitioners, within a period of six (6) months from the date of receipt of a copy of this order. Till the disposal of the said appeal, both the parties are directed to maintain *status quo* in all respects over the subject property.

6. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

SD/- N.SRIHARI  
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Revenue Department, Telangana Secretariat, Hyderabad, Telangana, State of Telangana -500063.
2. The Joint Collector, Jogulamba Gadwal District, Telangana.
3. The Revenue Divisional Officer, Jogulamba Gadwal Mandal and District, Telangana.
4. The Tahsildar cum Joint Registrar, Jogulamba Gadwal Mandal and District, Telangana.
5. One CC to SRI MOHD BASEER RIYAZ, Advocate [OPUC]
6. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad. [OUT]

R/S

17 Two CD Copies

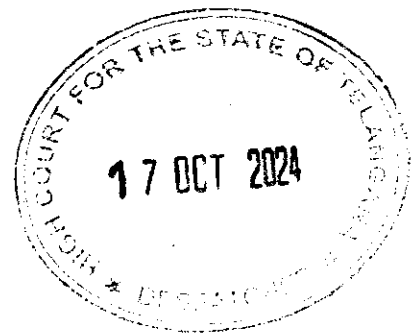
CC TODAY

HIGH COURT

DATED:15/10/2024

ORDER

WP.No.28446 of 2024



DISPOSING OF THE WRIT PETITION  
WITHOUT COSTS.

10  
17/10/24  
BIR