

**HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

SATURDAY, THE TWENTY FIRST DAY OF SEPTEMBER  
TWO THOUSAND AND TWENTY FOUR

**PRESENT**

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE  
AND  
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

**WRIT APPEAL NO: 187 OF 2024  
AND  
WRIT PETITION No.28534 OF 2023**

**W.A.NO: 187 OF 2024**

Writ Appeal under clause 15 of the Letters Patent preferred against the order dated 22/12/2023 in W.P No. 28534 of 2023 on the file of the High Court.

**Between:**

1. Mrs. Korati Padma, W/o Amrutha Raj Korati Aged about 33 Years, Occ. House Hold R/o H.No. S4-B 501, Sachivalaya Nagar, Vanasthalipuram, L.B Nagar, Ranga Reddy District
2. Amrutha Raj Korati, S/o Late Raja Isaac Manikorati Aged about 33 Years, Occ. Busines R/o H.No. S4-B 501, Sachivalaya Nagar, Vanasthalipuram, L.B Nagar, Ranga Reddy District

**...APPELLANTS/PETITIONERS**

**AND**

1. State of Telangana, rep by its Principal Secretary, Revenue Department, Hyderabad
2. The Appellate Tribunal Cum District Collector and Magistrate, Ranga Reddy District
3. Smt Ratnakumari Karati, W/o Late Raja Isaac Manikorati Aged about. 64 years, Occ. House Hold R/o Plot NO 38, Street IA, Phase II, Gayathri Nagar, Sahibnagar Kalan, Vanasthalipurarii, L.B Nagar, Hyderabad-500070
4. Korati Mani Kiran, S/o Late Korati Rajalssac Mani Aged about 38 Years,R/o S-4-b-501, Sachivalaya Nagar Vanasthlipuram Hyderabad - 500070
5. Ms Korati Ramya Santhi, S/o Late Korati Rajalssac Mani Aged about 34 Years R/o S4b501 Sachivalaya Nagar Vanasthlipuram Hyderabad 500070

(Respondent No. 4 and 5 are impleaded as per Court Order dated 20.09.2024 Vide IA No.7 of 2024 in WA No.187 of 2024)

**...RESPONDENTS**

**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 grant leave to the appellants/petitioners to change the advocate from M Anand Kumar to

M/S Anirudh Associates against the order dated 22-12-2023 passed in I.A No 3 of 2023 in W.P No 28534 of 2023, passed by His Lordship, High Court for the state of Telangana in the interest of justice.

**IA NO: 4 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 permission to the Appellants/Petitioner/s to file appeal against the order dated 22-12-2023 passed in I.A No 3 of 2023 in W.P No 28534 of 2023, passed by His Lordship High Court for the state of Telangana by receiving the documents of whatsapp chat done in group message "king's palace" by respondent no 3's daughter in law as material evidence no A-8 in running index in the interest of justice.

**IA NO: 5 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 stay all further proceedings by restraining the respondent no 3, Sri Korati Mani Kiran (Elder brother of Appellant no 2), Smt. Korati Ruth Haleena (Elder Sister in law of Appellant no 2) and Miss Ramya Shanthi (Sister of Appellant no 2) along with Appellants/Petitioner/s into the house property bearing No S4B 501 Sachivalaya nagar Vanasthalipuram Ranga Reddy District leaving the church prayer hall in the second floor for conducting prayers till pending disposal of the partition suit vide OS No 774 of 2023 on the file of Addl Junior Civil Judge, Hayathnagar.

**IA NO: 6 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 respondent no 2 to call for the records in Case No 888/DWO/2023 dated 11-09-2023 from the office of Appellate Tribunal cum District Collector and Magistrate Ranga Reddy District and quash the order dated 11-09-2023 in Case No 888/DWO/2023.

**Counsel for the Appellants: SRI ANIRUDH.N**  
**Counsel for the Respondent No.1: GP FOR REVENUE**  
**Counsel for the Respondent No.3: SRI JETTI YASHO SURYA**  
**Counsel for the Respondent Nos.4 & 5: SRI B.MOHAN**  
**Counsel for the Respondent No.2: ---**  
**COUNSEL APPEARED AS MEDIATOR: SRI J.PRABHAKAR, SENIOR COUNSEL**

**W.P.NO: 28534 OF 2023**

**Between:**

1. Mrs Koreti Padma, w/o Amrutha Raj Korati Aged. 33 years Occ. Household,R/o First floor portion in H.No. S4-B-501, H.No. 6-3-501 Saheb Nagar kalan Sachivalayanagar, Phase - III Vanasthalipuram, LB Nagar Hyderabad
2. Ainrutha Raj Korati, S/o late Raj Isaac mani korati Aged. 36 years Occ. Business Both R/o First floor portion in H.No. S4-B-501, H.No. 6-3-501 Saheb Nagar kalan Sachivalayanagar, Phase - III Vanasthalipuram, LB Nagar Hyderabad

**...PETITIONERS**

**AND**

1. The State of Telengana, Rep. by its Principal Secretary Revenue Department, Hyderabad.
2. The Appellate Tribunal cum District Collector And Magistrate, Ranga Reddy District.
3. Mrs Rathnamani, W/olate Raj Isaac mani korati Aged.55 years Occ. Housewife R/o Plot No.38, Street 1 A, Phase -II Gayathri Nagar, Saheb Nagar kalan Vanasthalipuram, LB Nagar Hyderabad

**...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 to Writ of Certiorari calling for the records in Case No. 888/DWO/2023 dated 11-9-2023 from the office of the Respondent No 2 Appellate Tribunal cum District Collector and Magistrate Ranga Reddy District and quash the order dated 11-9-2023 in Case No. 888/DWO/2023 ordering for eviction of the petitioners from the house property bearing No. S4-B, 501 Sachivalaya nagar, Vanasthalipuram, Ranga Reddy District as arbitrary, unconstitutional, illegal and in violation of natural justice to the petitioners and to consequentially to set aside the order in Case No. 888/DWO/2023 dated 11-9-2023 passed by the Respondent No 2 Appellate Tribunal cum District Collector and Magistrate Ranga Reddy District.

**IA NO: 2 OF 2023**

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 impugned order in Case No. 888/DWO /2023 dated 11.09.2023 from the office of the respondent No. 2 Appellate Tribunal Cum District Collector and Magistrate Ranga Reddy District directing the petitioners herein to vacate and handover vacant possession of the house bearing No. S4-B 501 Sachivalaya Nagar Vanasthalipuram Ranga Reddy District.

**Counsel for the Petitioners: SRI ANIRUDH.N**  
**Counsel for the Respondent No.1: GP FOR REVENUE**  
**Counsel for the Respondent No.3: SRI JETTI YASHO SURYA**  
**Counsel for the Respondent No.2: --**

**The Court made the following: COMMON JUDGMENT**

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE  
AND  
THE HON'BLE SRI JUSTICE J. SREENIVAS RAO**

**WRIT APPEAL No.187 of 2024  
and  
WRIT PETITION No.28534 of 2023**

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

Mr. J. Prabhakar, learned Senior Counsel appears as Mediator.

Mr. Anirudh N, learned counsel appears for the appellants.

Mr. Jetti Yasho Surya, learned counsel appears for respondent No.3.

Mr. B. Mohan, learned counsel appears for respondent Nos.4 and 5.

2. Parties appear through their learned counsel.
3. This intra court appeal is filed against an interim order dated 22.12.2023 passed by the learned Single Judge, in I.A.No.3 of 2023 in Writ Petition No.28534 of 2023.
4. Mr. J. Prabhakar, learned Senior Counsel was appointed as a Mediator and he has submitted a report that the dispute between the parties has been amicably settled.

5. The terms of settlement are as under:

- A) The parties ie., the appellants and respondent Nos.3 to 5 above named have agreed that Late. Korati Raja Issac Mani was the absolute owner and title holder of properties annexed hereunder as SCHEDULE-A & SCHEDULE-B and that he died on 26.03.2022 intestate.
- B) The parties ie., the appellants and respondent Nos.3 to 5 above named agreed that the appellant No.2 herein, the respondent Nos.3 to 5 have 1/4<sup>th</sup> undivided share in the schedule mentioned properties. In order to put a quietus and not to precipitate the disputes between the parties in future, the parties herein agreed to make payment in lieu of the share of the appellant No.2 herein and the appellant No.2 in turn agreed to execute and register the release deed(s) and such other documents as may be necessary to confer absolute title in favour of respondent Nos.3 to 5 herein fully in respect of the schedule mentioned properties.
- C) The respondent Nos.3 to 5 agreed to pay in all a sum of Rs.45.00 lakhs (Rupees Forty Five Lakhs only) within five months from today i.e., on or before 20.02.2025 towards full and final settlement of 1/4<sup>th</sup> share of appellant No.2 in schedule-A and schedule-B mentioned properties and the appellants herein agreed to receive the same in full and final settlement of their share. Out of the said agreed amount of Rs.45,00,000/-, the respondent Nos.3 to 5 shall pay Rs.5,00,000/- within 10 (ten) days from today.
- D) In the event of respondent Nos.3 to 5 not making the payment of Rs.45 lakhs within FIVE months from the date of this settlement, they are liable to pay interest @7% on the amount due and payable to the appellant herein.
- E) Upon receipt of the said amount, the appellant No.2 herein shall execute and register a release deed / settlement deed releasing / relinquishing his 1/4<sup>th</sup> undivided share in Schedule-A and Schedule-B properties. The appellants herein also hereby covenant that they will execute such documents as may be

necessary for giving effect to the release / relinquishment in respect of schedule A and schedule B properties. The expenses for registration and stamp duty for execution of release / relinquishment deed shall be borne by respondent Nos.3 to 5 jointly.

- F) The appellant No.2 shall sign such documents as may be necessary to enable the respondents to raise appropriate loans for the purpose of making payment of amount to Appellant No.2. The Schedule A property is mortgaged to State Bank of India for the loan facilities availed by the father of appellant during his lifetime. The Appellant No.2 shall also cooperate and sign such documents as may be necessary to releasing the documents of title from SBI.
- G) The parties herein declare that the Writ Appeal No.187/2024 and the Writ Petition No.28534 of 2023 be disposed of in terms of this settlement. Each party shall bear its own costs.
- H) The appellants herein, respondent Nos.3 to 5 shall withdraw / record compromise to ensure termination / closure of proceedings in C.C.No.1215 of 2023, STC No.139 of 2023 and STC No.115 of 2023 on the file of the Court of the VII Addl.JFC Magistrate, Ranga Reddy District at Hayatnagar.
- I) The parties herein have agreed to settle the suit O.S.No.774 of 2023 pending on the file of the Court of the I Additional Junior civil Judge-cum-VII Additional JFC Magistrate, Ranga Reddy District at Hayatnagar in terms of this settlement and they shall have a final decree passed by recording the terms of this settlement by way of compromise in the said suit.
- J) The appellants herein declare that upon receipt of the amount as detailed above, the appellants herein shall not have any claim in and over the schedule mentioned properties. This is in the interest of all the parties.
- K) In the event of respondent Nos.3 to 5 requiring the funds for payment of amounts in terms of this settlement to the appellant No.2 herein, the appellant No.2 shall cooperate with respondent

Nos.3 to 5 in raising loans / amounts from appropriate sources including banks, financial institutions etc., However, such finances shall be utilized at the first instance for payment of amounts to appellant No.2 in terms of this settlement. However, the appellants shall not have any liability as against such finances / loans.

L) With this settlement all differences/disputes between the parties are amicably settled and none of the parties shall have any claim what so ever as against the other.

6. Accordingly, this Writ Appeal as well as Writ Petition No.28534 of 2023 is disposed of in terms of the settlement arrived at between the parties.

7. We place on record our appreciation for Mr. J. Prabhakar, learned Senior Counsel, who has made sincere efforts to settle the dispute between the parties.

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

**SD/-N.CHANDRA SEKHAR RAO**  
**ASSISTANT REGISTRAR**

//TRUE COPY//

**SECTION OFFICER**

To

1. The Principal Secretary, Revenue Department, Hyderabad, State of Telangana.
2. The Appellate Tribunal Cum District Collector and Magistrate, Ranga Reddy District
3. One CC to SRI ANIRUDH.N, Advocate [OPUC]
4. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad. [OUT]
5. One CC to SRI J.PRABHAKAR, Senior Advocate [OPUC]
6. One CC to SRI JETTI YASHO SURYA, Advocate [OPUC]
7. One CC to SRI B.MOHAN, Advocate [OPUC]
8. Two CD Copies

PSK.  
KKS



HIGH COURT

DATED:21/09/2024

COMMON JUDGMENT

WA.No.187 of 2024  
AND  
WP.No.28534 OF 2023



DISPOSING OF THE WA & WP  
WITHOUT COSTS.

11  
18/10/24  
LAK