

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

THURSDAY, THE TWENTY SECOND DAY OF AUGUST  
TWO THOUSAND AND TWENTY FOUR

**PRESENT**

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

**WRIT PETITION NO: 12353 OF 2010**

**Between:**

Javeed Ahmed Khan, S/o Mohd. Afzal Khan Business R/o H.No. 4-1-9,  
Ramkoti, Hyderabad.

**...PETITIONER**

**AND**

1. The Deputy Director, Survey and Land Records, Hyderabad District.
2. The District Collector, Hyderabad District, at Hyderabad.
3. The Revenue Divisional Officer, Hyderabad District, at Hyderabad.
4. Chinboina Pochaiah, S/o late Komaraiah, age not known to the petitioner, major.
5. Chinboina Hanumanthu, S/o late Komaraiah, age not known to the petitioner, major.
6. Eswaramma, W/o Laxmaiah, age not known to the petitioner, major.
7. Chinboina Mallash, S/o late Komaraiah, age not known to the petitioner, major.
8. Veeramani, W/o late Yadagiri, age not known to the petitioner, major.
9. Bhimaiah, S/o Manaiah, age not known to the petitioner, major.
10. Chinboina Krishna, S/o Komaraiah, age not known to the petitioner, major.
11. Chinboina Rajaiah, S/o Komaraiah, age not known to the petitioner, major

(Respondent Nos.4 to 11 are R/o H.No.1-8-725/A/2, Nallakunta, Hyderabad.)

12. Balaji Bhagyanagar Co-op Housing Society Ltd., (Regd. No.TAB-330), Rep. by its Secretary K.Raghunath Rao, S/o. Kanta Rao, 58 yrs, 1-8-725/A/1, Balaji Bhogyanagar Apartment, Nallakunta, Bagh Lingampally, Hyd.

(RR12 is impleaded as per Court Order dt: 21/04/2014 in WP.MP.39849/2013)

**...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 a writ of Mandamus or any other appropriate writ declaring that the action of the 1st respondent in issuing notice No.A3/276/2010, dated 18-05-2010 purporting to conduct survey and demarcation of land in premises

No.1-8-725/A/2, correlating to Survey No.12 (new) and old Survey Nos.74 and 75 of Bagh Lingampally village, Himayathnagar Mandal, at the instance of respondents 4 to 11 and on the directions of the 2nd respondent, is arbitrary, without jurisdiction and ultra vires the power and authority of the 1st respondent and consequently, set aside the same and direct the respondents 1 to 3 to forbear from taking up any such survey and demarcation operations being bound by the judgment rendered in W.P.Nos.27317, 27612 of 1996 and 1884 of 1997, dated 7-11-2008.

**I.A. NO: 1 OF 2010(WPMP. NO: 15580 OF 2010)**

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 grant stay of all further proceedings pursuant to the notice of the 1st respondent bearing No. A3/276/2010 dt. 18-5-2010 relating to conduct of survey and demarcation of the land in Old Sy.Nos. 74 and 75 correlating to new Sy.No. 12 (alleged premises No. 1-8-725/A/2) Bagh Lingampally Village, Himayathnagar Mandal, Hyderabad District pending Disposal of the writ petition.

**Counsel for the Petitioner: SRI M.BALANAGA SRINIVAS**

**Counsel for the Respondent Nos.1 TO 3: SRI MURALIDHAR REDDY KATRAM,  
GP FOR REVENUE**

**Counsel for the Respondent Nos.4 TO 11: SRI V.RAMESH REDDY**

**Counsel for the Respondent No.12: M/s. T.S.R.PRANEETHA FOR  
SRI V.RAVINDER RAO**

**The Court made the following: ORDER**

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE**

**AND**

**THE HON'BLE SRI JUSTICE J.SREENIVAS RAO**

**WRIT PETITION No.12353 of 2010**

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

None for the petitioner.

Mr. Muralidhar Reddy Katram, learned Government Pleader for Revenue Department for respondent Nos.1, 2 and 3.

Ms. T.S.R.Praneetha, learned counsel representing Mr. V.Ravinder Rao, learned counsel for respondent No.12.

2. In this writ petition, the petitioner has prayed for the following relief:

“For the reasons stated in the accompanying affidavit, the petitioner herein prays that this Honourable Court may be pleased to issue a writ of Manadamus or any other appropriate writ declaring that the action of the 1<sup>st</sup> respondent in issuing notice No.A3/276/2010, dated 18-05-2010 purporting to conduct survey and demarcation of

land in premises No.1-8-725/A/2, correlating to Survey No.12 (new) and old Survey Nos.74 and 75 of Bagh Lingampally village, Himayathnagar Mandal, at the instance of respondents 4 to 11 and on the directions of the 2<sup>nd</sup> respondent, is arbitrary, without jurisdiction and ultra vires the power and authority of the 1<sup>st</sup> respondent and consequently, set aside the same and direct the respondents 1 to 3 to forbear from taking up any such survey and demarcation operations being bound by the judgment rendered in W.P.Nos.27317, 27612 of 1996 and 1884 of 1997, dated 7-11-2008 and grant such other relief as it deems fit in the circumstances of the case."

3. Thus, from perusal of the aforesaid prayer, it is evident that the validity of the notice dated 18.05.2010 pertain to conduct survey and demarcation of the subject land on 20.05.2010 was under challenge in the writ petition.

4. A Bench of this Court had granted an ad interim order on 02.06.2010. The aforesaid order has remained in force till today. The issue with regard to validity of the notice dated 18.05.2010 on account of efflux

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of time has been rendered academic. It is therefore not necessary for us to examine the same.

5. The Writ Petition is therefore dismissed as infructuous.

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

SD/- T. TIRUMALA DEVI  
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

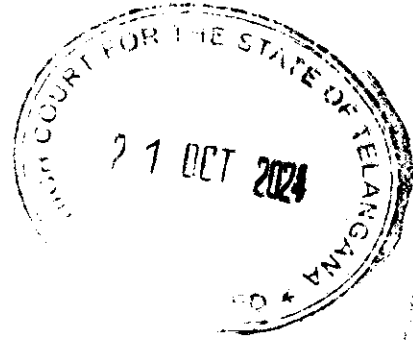
1. One CC to SRI M.BALANAGA SRINIVAS, Advocate [OPUC]
2. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad. [OUT]
3. One CC to SRI V.RAMESH REDDY, Advocate [OPUC]
4. One CC to SRI V.RAVINDER RAO, Advocate [OPUC]
5. Two CD Copies

PSK.  
GJP



HIGH COURT

DATED:22/08/2024



ORDER

WP.No.12353 of 2010

DISMISSING THE WRIT PETITION  
AS INFRUCTUOUS WITHOUT COSTS.

⑧ vlv  
28/9/24