

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

**FRIDAY, THE TWENTY NINTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE

THE HONOURABLE JUSTICE MOUSHUMI BHATTACHARYA

REVIEW I.A.No.2 of 2024

in

WRIT APPEAL NO: 233 OF 2024

Between:

R Janakirama Rao, S/o. R. Kishan Rao Deshmukh, Aged 89 years,
Occ: Agriculture, R/o. Flat No.402, Revati Towers, Marutinagar, Kothapet,
Sarooranagar, Hyderabad-500035

...APPELLANT

AND

1. Munnamgi Sreedhar Rao, S/o M. Bhadraiah, Age 51 years, Occ Business, R/o HUDA Heights, F.No.304, Central Park Apartments, Road No.12, Banjara Hills, Hyderabad.
2. Chennupati Uma Maheshwari, W/o K.Sudeer Kumar, Age 51 years, Occ Service, R/o HUDA Heights, F.No.403, Central Park Apartments, Road No.12, Banjara Hills, Hyderabad.
3. The State of Telangana, rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Saifabad, Hyderabad.
4. The District Collector, Medak, Medak District.
5. The Revenue Divisional Officer, Narsapur, Medak District.
6. The Tahasildar,, Kowdipally Mandal, Medak District

...RESPONDENTS

Petition under Section 114 CPC R/W Order 47 Rule of C.P.C. praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to review the order dt. 28.03.2024 passed in WA No. 233 of 2024.

This petition coming on for hearing, upon perusing the petition and affidavit filed in support thereof and upon reading the Order dated 28-03-2024 in W.A.No.233 of 2024 and upon hearing the arguments of SRI P. GIRI KRISHNA,

Counsel for the Petitioner and SRI L. PRABHAKAR REDDY, appearing for Respondent No. 1 and SRI POTTIGARI SRIDHA REDDY, SPL. GP for Advocate General appearing for Respondent Nos.3 to 6 and the Court made the following:
ORDER

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HON'BLE SMT JUSTICE MOUSHUMI BHATTACHARYA**

**Review I.A.No.2 of 2024
IN
WRIT APPEAL No.233 OF 2024**

Mr. P. Giri Krishna, learned counsel for the review petitioner.
Mr. L. Prabhakar Reddy, learned counsel for respondent No. 1.

ORDER: *(Per the Hon'ble Smt. Justice Moushumi Bhattacharya)*

The present review application arises out of an order passed by this Court on 28.03.2024 confirming the order passed by the learned Single Judge on 21.12.2023 and giving leave to the appellant to resort to the remedy under Section 8(2) of the Telangana Rights in Land and Pattadar Pass Books Act, 1971. The connected *status quo* order passed by this Bench is not relevant for the purposes of the present review petition.

2. The review applicant before us was the respondent No.5 in the writ petition filed before the learned Single Judge. By the order dated 21.12.2023, the learned Single Judge allowed the writ petition and set aside the impugned proceedings dated 02.01.2019. The learned Judge relied on the point of alternative remedy being available to the respondent No.5 under Section 8(2) of the 1971 Act.

3. Learned counsel appearing for the review applicant submits that due to coming into force of the new Act, namely, the Telangana Rights in Land and Pattadar Pass Books Act, 2020, the review applicant shall not be in a position to take recourse to the alternative remedy provided under Section 8(2) of the erstwhile 1971 Act. Counsel places an order passed by a Division Bench presided over by the Hon'ble Chief Justice of this Court in W.A.No.295 of 2024, dated 05.07.2024, wherein the Division Bench noted that Section 8(2) of the erstwhile 1971 Act has been repealed. The judgment passed by the learned Single Judge dated 24.04.2024 was modified on that ground. The appellant/review applicant in the present matter was given liberty to take recourse to the remedy available to him in law.

4. Counsel submits that the present review application may also be disposed of in terms of the order passed by the Division Bench dated 05.07.2024 in W.A.No.295 of 2024.

5. We have considered the submissions made by learned counsel. In view of the order passed by the Division Bench on 05.07.2024 in W.A.No.295 of 2024 taking the change in law

into account, we propose to dispose of the present review application also in terms of the order dated 05.07.2024.

6. Review I.A.No.2 of 2024 is accordingly disposed of by giving liberty to the review applicant to seek recourse under the available law as the review applicant may be advised. The order passed by this Bench on 28.03.2024 is modified in terms of the order passed in W.A.No.295 of 2024 as stated above.

Pending miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

**SD/- T. KRISHNA KUMAR
DEPUTY REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, Secretariat Buildings, Saifabad, The State of Telangana, Hyderabad.
2. The District Collector, Medak, Medak District.
3. The Revenue Divisional Officer, Narsapur, Medak District.
4. The Tahasildar, Kowdipally Mandal, Medak District
5. One CC to Sri P. Giri Krishna, Advocate [OPUC]
6. One CC to Sri L. Prabhakar Reddy, Advocate [OPUC]
7. Two CCs to The Spl. Advocate General, High Court for the State of Telangana, at Hyderabad[OPUC]
8. Two CD Copies

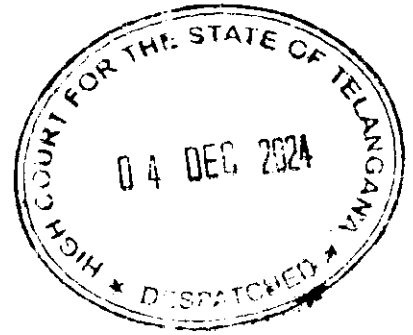
T J



HIGH COURT

**HCJ
&
MB,J**

DATED:29/11/2024



ORDER

**REVIEW I.A.No.2 of 2024
in
WRIT APPEAL NO: 233 OF 2024**

REVIEW I.A. No.2 of 2024 is Disposed

(11)
21/12/24
BB