

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

THURSDAY, THE TENTH DAY OF MARCH
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SMT JUSTICE P. MADHAVI DEVI

WRIT PETITION NO: 12357 OF 2022

Between:

1. Banda Somi Reddy, S/o Late Ranga Reddy, Aged about 64 Years, Occ. Agriculture, R/o Thogudem Village, Pinapaka Mandal, Bhadradi Kothagudem District.
2. Banda Mohan Reddy, S/o Late Ranga Reddy, Aged about 57 Years, Occ. Agriculture, R/o Thogudem Village, Pinapaka Mandal, Bhadradi Kothagudem District.

...PETITIONERS

AND

1. The State of Telangana, Rep. by its Principal Secretary, Tribal Welfare Department, Secretariat, Hyderabad.
2. The Additional Agent to the Government, (Project Officer, ITDA), Bhadrachalam, Bhadradi Kothagudem District. (Erstwhile Agent to Government at Khammam)
3. The Special Deputy Collector (TW), Bhadrachalam (Erstwhile Palvanha), Bhadradi Kothagudem District.
4. The Tahsildar, Pinpaka Mandal, Pinapaka, Bhadradi Kothagudem District.
5. Tolem Hanumaiah, R/o Janampeta Village, Pinapaka Mandal, Bhadradi Kothagudem 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 a Writ, Order or direction more in the nature of Mandamus declaring the orders passed by the first respondent in Memo No.230/TW.LTR/2022-1, dated 25.02.2022 rejecting stay application while admitting Revision Petition filed by the Writ Petitioners for stay the orders passed by the Special Deputy Collector (W), Bhadrachalam (erstwhile Palvanha) in LTR Case No.278/88/PNK, dated 30.03.1998 and also the orders passed by the Agent to Government at erstwhile Khammam (Presently Addl. Agent to the Government, Bhadrachalam) in C.M.A.No.47/99, dated 05.12.2000 in respect of the land admeasuring to an extent of Ac.2.12 gts. and Ac.1.05 gts., total Ac.3.17 gts. in Sy.Nos.321 and 322 situated at Pinapaka Village of Pinapaka Mandal of Bhadradi Kothagudem District is arbitrary, illegal and violative of Article 14, 21

and 300(A) of the Constitution of India and also the provisions of Telangana (Schedule Areas) Land Transfer Regulation 1 of 1959 and its Amendment 1 of 1970 and consequentially declare that the Petitioners are entitled to continue in possession and enjoyment of the lands till the disposal of the Revision pending before the Government.

IA NO: 1 OF 2022

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 issue an interim direction directing the Respondents not to evict the Petitioners from possession and enjoyment of the suit schedule land situated in Sy.Nos.321 and 322 situated at Pinapaka Village of Pinapaka Mandal of Bhadradi Kothagudem District to an extent of Ac.2.12 gts. and Ac.1.05 gts., total Ac.3.17 gts. pending disposal of the above writ petition.

Counsel for the Petitioners: SRI. K SARATH

Counsel for the Respondent Nos.1 to 4: GP FOR SOCIAL WELFARE

Counsel for the Respondent No.5: NONE APPEARED

The Court made the following: ORDER

THE HONOURABLE SMT JUSTICE P.MADHAVI DEVI**WRIT PETITION No. 12357 OF 2022****ORDER:**

This Writ Petition is filed seeking a Writ of Mandamus declaring the orders passed by the 1st respondent in Memo No.230/TW.LTR/2022-1, dated 25.02.2022 rejecting stay application while admitting Revision Petition filed by the Writ Petitioners for stay of the orders passed by the Special Deputy Collector (TW), Bhadrachalam (erstwhile Palvancha) in LTR Case No.278/88/PNK, dated 30.03.1998 and also the orders passed by the Agent to Government at erstwhile Khammam (Presently Additional Agent to the Government, Bhadrachalam) in C.M.A. No.47 of 1999, dated 05.12.2000 in respect of the land admeasuring to an extent of Ac.2.12 gts. and Ac.1.05 gts., total Ac.3-17 gts., in Sy.Nos.321 and 322 situated at Pinapaka Village of Pinapaka Mandal of Bhadradri Kothagudem District as illegal, arbitrary and violative of Article 14, 21 and 300(A) of the Constitution of India and also the provisions of Telangana (Schedule Areas) Land Transfer Regulation 1 of 1959 and its Amendment 1 of 1970 and consequentially declare that the petitioners are entitled to continue in possession and enjoyment of the lands till the disposal of the Revision pending before the Government.

2. It is submitted by the learned counsel for petitioners that the subject matter of this writ petition is squarely covered by order dated 24.08.2021 passed in Writ Petition No.19836 of 2021 and in this writ petition also similar order may be passed.

3. Taking the above submission of the learned counsel for petitioners into consideration, this writ petition is also disposed of in terms of the order dated 24.08.2021 passed in Writ Petition No.19836 of 2021.

4. The Registry is directed to append a copy of the Order dated 24.08.2021 passed in Writ Petition No.19836 of 2021.

5. Accordingly, this writ petition is disposed of.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

Sd/- T.SRINIVAS
ASSISTANT REGISTRAR

//TRUE COPY//

GP
SECTION OFFICER

- To,
1. The Principal Secretary, Tribal Welfare Department, State of Telangana, Secretariat, Hyderabad.
 2. The Additional Agent to the Government, (Project Officer, ITDA), Bhadrachalam, Bhadrachalam District. (Erstwhile Agent to Government at Khammam)
 3. The Special Deputy Collector (TW), Bhadrachalam (Erstwhile Palvanha), Bhadrachalam District.
 4. The Tahsildar, Pinpaka Mandal, Pinapaka, Bhadrachalam District.
 5. One CC to Sri K. Sarath, Advocate [OPUC]
 6. Two CCs to GP for Social Welfare, High Court for the State of Telangana at Hyderabad. [OUT]
 7. Two CD Copies
(Along with a copy of order dated 24.08.2021 in W.P.No.19836 of 2021)

8. One Spare Copy

CHR

HIGH COURT

DATED:10/03/2022

ORDER

W.P.No.12357 of 2022



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

Handwritten signature and date 31/3/2022