

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

(Special Original Jurisdiction)

**FRIDAY, THE TWENTY EIGHTH DAY OF JANUARY
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 1333 OF 2022

Between:

1. Mr. Donti (Gadde) Prabhu, S/O. Sattaiah, Aged about. 43 years, Occ. Private Employee, R/o. H.No. 1-5/4/1, Miyapur, Hyderabad.
2. Donti (Gadde). Srinivas, S/o. Sattaiah, Aged about. 42 years, Occ. Private Employee, R/o. H.No. 1/5/5/1, Maquta Mahaboobpet village, Miyapur, Hyderabad.
3. Donti(Gadde). SHEKAR, S/o. Sattaiah, Aged about. 39 years, Occ. Private Employee, R/o. H.No. 1/5/6/1, Maquta Mahaboobpet village, Miyapur, Hyderabad.
4. Donti. Dayakar, S/o. Ramulu, Aged about. 42 years, Occ. Private Employee, R/o. H.No. 14-11-1145, Jhansi Chouraha, Hyderabad.
5. Donti(Gadde). Krishnam Raju, S/o.Ramulu. Aged about. 48 years, Occ. Private Employee, R/o. H.No. 14-11-115, Mevathi Pura, Hyderabad.
6. Donti(Gadde).Rajender, S/o. Agamaiah. Aged about. 52 years, Occ. Private Employee, R/o. H.No. 3-104, Gangaram, Chandanagar, Hyderabad.
7. Donti. Srinivas, S/o. Agamaiah, Aged about. 45 years, Occ. Private Employee, R/o. H H.No. 3-104, Gangaram, Chandanagar, Hyderabad.
8. Bollaboina. Sakku Bai, W/o. Papa Rao. Aged about 62 years, occ. Housewife, R/o. 8-2-46/1, Pratap Nagar, panjagutta, Hyderabad.
9. Ragam. Santha Bai, W/o.Eshwaraiah Aged about. 61, Occ. Housewife, R/o. 1-23, Nalagamdla, serilingampally, Ranga Reddy.
10. Chinnamali. Srinivas Yadav, S/o. Komaraiah, Aged about. 44 years, Occ. Business, R/o. H.No. 13-6-448/1, Sai Nagar, Karavan, Hyderabad.
11. Chinnamali. Venu Gopal, S/o. Komaraiah. Aged about. 43 years, Occ. Business, R/o. H.No. 13-6-448/1, Sai Nagar, Karavan, Hyderabad.
12. Chinnamali. Ravinder Yadav, S/o.Balaiah Yadav, Aged about 61 years, Occ. Business, R/o. H.No. 20-1-581, Golla Kidiki, Bahadurpura, Hyderabad.
13. C. Prakash Yadav, S/o. Balaiah, Aged about. 69 years, Occ. Business, R/o. H.No. 20-1-581, Golla Kidiki, Bahadurpura, Hyderabad.
14. Middela.Pandu Rao, S/o. Pentaiah, Aged about. 61 years, Occ. Business, R/o. 2-4-567/3/9, Ram Gopal Pet, Nallagutta, Secunderabad.
15. Middela.Yadagiri, S/o.Pentaiah, Aged about. 55 years, Occ. Business, R/o. H.No. 1-30-803, Siva nagar, Aiwal, Secunderabad.
16. Middela Krishna, S/o.Pentaiah, Aged about. 50 years, Occ. Business, R/o. H.No. 2-4-520, Nallagutta, Secunderabad.
17. Middela.Prakash, S/o.Pentaiah, Aged about 48 years, Occ. Business, R/o. H.No. 2-4-520, ,Nallagutta, Secunderabad.
18. Saimul Suresh, S/o.Mallesh, Aged about. 44 years, Occ. Business, R/o. 2-63, Eega Basti, Raidurg, Golconda, Hyderabad.
19. Saimul.Santosh, S/o. Mallesh, Aged about. 44 years, Occ. Business, R/o. 2-63, Eega Basti, Raidurg, Golconda, Hyderabad.
20. C. Lalitha Bai, W/o. Prakash Yadav, Aged about 58 years, Occ. Housewife, R/o. H.No. 20-1-581, Golla Kidiki, Bahadurpura, Hyderabad.
21. Chinnamali. Mallamma, W/o. Komaraiah, Aged about. 66 years, Occ. Housewife, R/o, H.No. 13-6-448/1, Sai Nagar, Karavan, Hyderabad.

22. Koram. Suneetha W/o. Mutyalu Yadav, Aged about. 44 years, Occ. Housewife, R/o. H.No. 10-148/34/A, Sat Nagar, Balanagar, Hyderabad.
23. Chennaboina. Kavitha, W/o. Kusuru Ashok kumar, Aged about. 43 years, Occ. Housewife, R/o. H.No. 17-2-714/1/A/62, Kurmaguda, Saidabad, Hyderabad.
24. Koirivi. Lalitha, W/o. Syam Yadav, Aged about. 42 years, Occ. Housewife, R/o. H.No. 16-3-719, Subramanya Nagar, Saidabad, Hyderabad.
25. Ragam Sarada Yadav, W/o. Pandu Ranga Yadav, Aged about. 44 years, Occ. Housewife, R/o. H.No. 10-148/34/A, Sai Nagar, Balanagar, Hyderabad.
26. Avulagadda Shoba Rani Yadav, W/o. Mallesh Yadav, Aged about. 55 years, Occ. Housewife, R/o. H.No. 2-2-647/6, C.E. Colony, Sivam Road, Amberpet, Hyderabad.
27. P. Hema Lathe, W/o. Anand Yadav, Aged about. 51 years, Occ. Housewife, R/o. H.No. 20-1-104, S.V.S Nagar, Bahadurpura, Hyderabad.
28. A. Archana, W/o. Raju, Aged about. 47 years, Occ. Housewife, R/o. H.No. 6-2-613, New Boiguda, Hyderabad.
29. Perugu Manjula, W/o. Mallesh, Aged about. 38 years, Occ. Housewife, R/o. H.No. 3-35, Mondigourelly, Yacharam Ranga Reddy.
30. Kasturi Bai, W/o. B. Mallesh, Aged about. 65 years, Occ. Housewife, R/o. H.No. 33/12, Doveton Bazar, Bollaram, Secundrabad, Hyderabad.
31. M. Padmaja, w/o. Ashok, Aged about. 54 years, Occ. Housewife, R/o. H.No. 31-16/79, Plot No. 79 Shiva Nagar, Alwal, Tirumalagiri, Secundrabad.
32. K. Swaroopa, W/o. Anand Yadav, Aged about. 45 years, Occ. Housewife, R/o. H.No. 17-1-391/5/367, Singareni Colony, Saidabad, Hyderabad.
33. Purulo Shobha, W/o. Shanker, Aged about. 55 years, Occ. Housewife, R/o. H.No. 503/1, Chilkalguda, Secundrabad.
34. Goda. Sadanand, S/o. Goda Balaiah, Aged about. 56 years, Occ. Employee, R/o. H.No. 21-2-417/7/a, Shakkerkota, Charminar, Hyderabad.
35. Goda. Narendra Raju Yadav, S/o. Goda Balaiah, Aged about. 55 years, Occ. Business, R/o. H.No. 21-2-417/7/a, Shakkerkota, Charminar, Hyderabad.
36. Goda. Madan Yadav, S/o. Mallesh, Aged about. 41 years, Occ. Business, R/o. H.No. 21-2-417, Shakkerkota, Charminar, Hyderabad.
37. Goda. Suresh Yadav, Aged about. 38 years, Occ. Employee, R/o. H.No. 21-2-506/3/B, Shakkerkota, Charminar, Hyderabad.
38. Goda. Ajay Kumar, S/o. Ganesh, Aged about. 34 years, Occ. Business, R/o. H.No. 21-2-506/3/B, Shakkerkota, Charminar, Hyderabad.

Rep by their GPA Holder Mr. B. B. Ravindranath, S/o. B. Rajagopal Naidu, Aged About. 47 Years, Occ. Business, R/o. Road No 1, Jubilee Hills, Hyderabad 500033.

...PETITIONERS

AND

1. The State of Telangana, Rep. by its Principal Secretary (Revenue) Secretariat Buildings, Hyderabad.
2. The District Collector, Rangareddy District.
3. The Revenue Divisional Office, Seriligampally Mandal.
4. The Tahsildhar, Seriligampally Mandal, Rangareddy 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 Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondents more particularly responder. No. 2 to 4 in not considering the petitioners representation dated 03-12-2021, for granting of 38-E Certificate for the agricultural land in Survey No. 37, 38, 39 for an

extent of Ac.5.09 Gts at Raidurgam Paigah Village-Serilingampally Mandal -Rajendra Nagar Division- Ranga Reddy District, as illegal, arbitrary and also violation of Article 14, 21 and 300A of Constitution of India.

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 direct the official respondents more particularly respondent Nos. 2 to 4 to consider the representation dated 03.12.2021, for granting of 38-E Certificate for the agricultural land in Survey No. 37, 38, 39 for an extent of Ac.5.09 Gts at Raidurgam Paigah Village-Serilingampally Mandal - Rajendra Nagar Division- Ranga Reddy District pending disposal of the above writ petition.

Counsel for the Petitioners:SRI. E.VENKATA SIDDHARTHA

Counsel for the Respondents: ADDL.GP FOR REVENUE

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

Writ Petition No.1333 of 2022

ORDER:

Heard Mr. E. Venkata Siddhartha, learned counsel for the petitioners and the learned Additional Government Pleader for Revenue, for the respondents.

2. This writ petition has been filed by the petitioners aggrieved by the inaction of respondent nos.2 to 44 in granting Section 38-E Certificate under the Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950 (**for short, 'the Act'**) in respect of land in Survey Nos.37, 38 and 39 totalling an extent of Acs.5.09 guntas situate at Raidurgam Paigah Village, Serilingampally Mandal, Rajendranagar Division, Ranga Reddy District, pursuant to a representation dated 03.12.2021 submitted by the petitioners.

3. Petitioners claim to be the legal heirs of one Gadde Rajaiah, Chinnamali Babaiah and Goda Balaiah and that their names were recorded in the Revenue Records from the year 1930 as possessors in the Khasra Pahanies and Tenancy Register and also in Fairsal Patta. It is further submitted that they have submitted a representation dated 03.12.2021 to respondent no.3 for grant of 38E

certificate in respect of the subject lands. However, respondent nos.2 to 4 have not considered the representation of the petitioners.

4. Having regard to the above, and in the facts and in the circumstances of the case, without going into the merits of the claim of petitioners, Writ Petition is disposed of directing the respondent nos.3 and 4 to consider the representation dated 03.12.2021 submitted by the petitioners for grant of 38E Certificate in respect of land in Survey Nos.37, 38 and 39 totalling an extent of Acs.5.09 guntas situate at Raidurgam Paigah Village, Serilingampally Mandal, Rajendranagar Division, Ranga Reddy District preferably within a period of three (03) months from the date of receipt of a copy of this order in accordance with law.

5. Accordingly, the Writ Petition is disposed of with the above direction. No costs.

6. As a sequel, miscellaneous applications pending if any in this Writ Petition, shall stand closed.

SD/-T.JAYASREE
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary (Revenue), State of Telangana, Secretariat Buildings, Hyderabad.
2. The District Collector, Rangareddy District.
3. The Revenue Divisional Office, Serilingampally Mandal.
4. The Tahsildhar, Serilingampally Mandal, Rangareddy District
5. One CC to SRI. E VENKATA SIDDHARTHA Advocate [OPUC]
6. Two CCs to ADDL.GP FOR REVENUE, High Court for the State of Telangana. [OUT]
7. Two CD Copies.
8. One spare Copy.

GB

RS

HIGH COURT

DATED:28/01/2022

ORDER

WP.No.1333 of 2022



DISPOSING OF THE WP
WITHOUT COSTS.

(10) VLV
16/2/22