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

FRIDAY, THE SEVENTEENTH DAY OF JUNE  
TWO THOUSAND AND TWENTY TWO

**PRESENT**

**THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR**

**WRIT PETITION Nos.25296, 25439, 25465, 25472,  
25669 & 25840 OF 2022**

**WP No.25296 of 2022**

**Between:**

Gaddam Sammakka, W/o.Pedda Maraiah Aged about 67 years, Occ  
Housewife R/o.H.No.5-0, Ghanpur Village and Mandal Jayashankar  
Bhupalpally District.

**...PETITIONER**

**AND**

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department Secretariat, Hyderabad.
2. The District Collector, Jayashankar Bhupalpally District.
3. The Revenue Divisional Officer, Mulugu Division Jayashankar Bhupalpally District.
4. The Tahsidlar, Ghanapur Mandal Jayashankar Bhupalpally District.
5. The District Fire Officer, Jayashankar Bhupalpally 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 an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondent Nos.2 to 5 in trying to dispossess the petitioner from the house property bearing H.No.1-44/20/4 to an extent of 484 sq. yards situated at Gandhi Nagar Grant Sliver, Ghanapur Mandal, Jayashankar Bhupalpally District without issuing any notice and without affording an opportunity to put forth their grievance as illegal, arbitrary, violation of Article 14, 21 and 300-A of Constitution of India, apart from violation of principles of natural justice and consequently direct the Respondent Nos.2 to 5 not to interfere with the peaceful possession and enjoyment of the above property.

**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 Respondent Nos.2 to 5 not to dispossess the petitioner from the property bearing H.No.1-44/20/4 to an extent of 484 sq. yards situated at Gandhi Nagar Gram Shivar, Ghanapur Mandal, Jayashankar Bhupalpally District without following the due process of law, pending disposal of the above writ petition.

**WP NO: 25439 OF 2022****Between:**

Samba Murthy Bandla, S/o.Ramaiah Bandla, Aged about 60 years, Occ.  
Business R/o.H.No.384/D, Mandamarri, 3rd Zone Kalyani Khani, Mancherla District.

**...PETITIONER****AND**

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department Secretariat, Hyderabad.
2. The District Collector, Jayashankar Bhupalpally District.
3. The Revenue Divisional Officer, Mulugu Division Jayashankar Bhupalpally District
4. The Tahsildar, Ghanapur Mandal, Jayashankar Bhupalpally District.
5. The District Fire Officer, Jayashankar Bhupalpally 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 an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondent to dispossess the petitioner from the house property bearing H.No.1-44/16/1 to an extent of 484 sq. yards situated at Gandhi Nagar Village, Ghanapur Mandal, Bhupalpally District without issuing any notice and without affording an opportunity to put forth their grievance as illegal, arbitrary, violation of Article 14, 21 and of Constitution of India, apart from violation of principles of natural justice and consequently direct the Respondent Nos.2 to 5 not to interfere with the peaceful possession and enjoyment of the above property.

**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 Respondent Nos.2 to 5 not to dispossess the petitioner from the property bearing H.No.1-44/16/1 to an extent of 484 sq. yards situated at Gandhi Nagar

Village, Ghanapur Mandal, Jayashankar Bhupalpally District without following the due process of law, pending disposal of the above writ petition.

**WP NO: 25465 OF 2022**

**Between:**

Gaddam Lakshmi, W/o.Chinna Ramulu Aged about 32 years, Occ. Housewife  
R/o.Chenchu Colony, Ghanapur Mandal, Jayashankar Bhupalpally District.

**...PETITIONER**

**AND**

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department Secretariat, Hyderabad.
2. The District Collector, Jayashankar Bhupalpally District.
3. The Revenue Divisional Officer, Mulugu Division Jayashankar Bhupalpally District.
4. The Tahsidlar, Ghanapur Mandal Jayashankar Bhupalpally District.
5. The District Fire Officer, Jayashankar Bhupalpally 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 an appropriate Writ, Order or Direction more particularly, one in the nature of Writ of Mandamus, declaring the action of the Respondent Nos.2 to 5 in trying to dispossess the petitioner from the house property bearing H.No. 1-44/20/7 and H.No.1-44/20/2 to an extent of 302.5 sq. yards situated at Gandhi Nagar Village, Ghanapur Mandal, Jayashankar Bhupalpally District without issuing any notice and without affording an opportunity to put forth their grievance as illegal, arbitrary, violation of Article 14, 21 and 300-A of Constitution of India, apart from violation of principles of natural justice and consequently direct the Respondent Nos.2 to 5 not to interfere with the peaceful possession and enjoyment of the above property.

**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 Respondent Nos.2 to 5 not to dispossess the petitioner from the property bearing H.No.1-44/20/7 and H.No.1- 44/20/2 to an extent of 302.5 sq. yards situated at Gandhi Nagar Village, Ghanapur Mandal, Jayashankar Bhupalpally District without following the due process of law, pending disposal of the above writ petition.

**WP NO: 25472 OF 2022****Between:**

Gaddam Maraiah, S/o. Pedda Hanmanth, Aged about 46 years, Occ.  
Agriculture, R/o.Ghanpur Village and Mandal, Warangal District.

**...PETITIONER****AND**

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Jayashankar Bhupalpally District.
3. The Revenue Divisional Officer, Mulugu Division, Jayashankar Bhupalpally District.
4. The Tahsidlar, Ghanapur Mandal, Jayashankar Bhupalpally District.
5. The District Fire Officer, Jayashankar Bhupalpally 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 an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondent Nos.2 to 5 in trying to dispossess the petitioner from the house property bearing H.No.1-44/20/6 to an extent of 513 sq. yards situated at Gandhi Nagar Village, Ghanapur Mandal, Jayashankar Bhupalpally District without issuing any notice and without affording an opportunity to put forth their grievance as illegal, arbitrary, violation of Article 14, 21 and 300-A of Constitution of India, apart from violation of principles of natural justice and consequently direct the Respondent Nos.2 to 5 not to interfere with the peaceful possession and enjoyment of the above property.

**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 Respondent Nos.2 to 5 not to dispossess the petitioner from the property bearing H.No.1-44/20/6 to an extent of 513 sq. yards situated at Gandhi Nagar Village, Ghanapur Mandal, Jayashankar Bhupalpally District without following the due process of law, pending disposal of the above writ petition.

**WP NO: 25669 OF 2022****Between:**

Gundarapu Devendra, W/o.Indraiah Aged about 44 years, Occ . Housewife  
R/o.Mamunuru Camp, Warangal Warangal District.

**...PETITIONER**

**AND**

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department Secretariat, Hyderabad.
2. The District Collector, Jayashankar Bhupalpally District.
3. The Revenue Divisional Officer, Mulugu Division Jayashankar Bhupalpally District.
4. The Tahsidlar, Ghanapur Mandal Jayashankar Bhupalpally District.
5. The District Fire Officer, Jayashankar Bhupalpally 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 an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondent Nos.2 to 5 in trying to dispossess the petitioner from the house property bearing H.No.1-44/5/8 to an extent of 605 sq. yards situated at Ward No.1, Gandhi Nagar Gram Panchayat, Mailaram Grama Shivar, Ghanpur Mandal, Jayashankar Bhupalpally District without issuing any notice and without affording an opportunity to put forth their grievance as illegal, arbitrary, violation of Articles 14, 21 and 300-A of Constitution of India, apart from violation of principles of natural justice and consequently direct the Respondent Nos.2 to 5 not to interfere with the peaceful possession and enjoyment of the above property.

**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 Respondent Nos.2 to 5 not to dispossess the petitioner from the property bearing H.No.1-44/5/8 to an extent of 605 sq. yards situated at Ward No.1, Gandhi Nagar Gram Panchayat, Mailaram Grama Shivar, Ghanpur Mandal, Jayashankar Bhupalpally District without following the due process of law, pending disposal of the above writ petition.

**WP NO: 25840 OF 2022**

**Between:**

Kandukuri Ram Murthi, S/o.Veera Chari Aged about 31 years, Occ , Business  
R/o.Rangarao Palli, Ghanpur Mandal Jayashankar Bhupalpalli District.

**...PETITIONER**

**AND**

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department Secretariat, Hyderabad.
2. The District Collector, Jayashankar Bhupalpally District.

3. The Revenue Divisional Officer, Mulugu Division Jayashankar Bhupalpally District.
4. The Tahsidlar, Ghanapur Mandal Jayashankar Bhupalpally District.
5. The District Fire Officer, Jayashankar Bhupalpally 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 an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondent Nos.2 to 5 in trying to dispossess the petitioner from the house property bearing H.No.1-44/5/9 to an extent of 374.54 sq. yards situated at Ward No.1, Mailaram Grama Shivar, Gandhi Nagar Gram Panchayat, Ghanapur Mandal, Jayashankar Bhupalpally District without issuing any notice and without affording an opportunity to put forth their grievance as illegal, arbitrary, violation of Article 14, 21 and 300-A of Constitution of India, apart from violation of principles of natural justice and consequently direct the Respondent Nos.2 to 5 not to interfere with the peaceful possession and enjoyment of the above property.

### **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 Respondent Nos.2 to 5 not to dispossess the petitioner from the property bearing H.No.1-44/5/9 to an extent of 374.54 sq. yards situated at Ward No.1, Mailaram Grama Shivar, Gandhi Nagar Gram Panchayat, Ghanapur Mandal, Jayashankar Bhupalpally District without following the due process of law, pending disposal of the above writ petition.

**Counsel for the Petitioner(in all WPs): SRI TERA RAJINIKANTH REDDY**

**Counsel for the Respondent Nos.1 to 4(in all WPs): GP FOR REVENUE**

**Counsel for the Respondent No.5(in all WPs): GP FOR HOME**

**The Court made the following:**

**THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR**

**WRIT PETITION Nos.25296, 25439, 25465, 25472,  
25669 AND 25840 of 2022**

**COMMON ORDER:**

Heard learned counsel for the petitioners and learned Assistant Government Pleader for Revenue appearing for the respondents. Since the issue involved in these writ petitions is similar, all these writ petitions are disposed of by a common order.

2. The grievance of the petitioners in all these writ petitions is that they are in possession of various extents of land situated in Gandhi Nagar Village, Ghanpur Mandal Jayashankar Bhupalpally District. Having constructed their houses, all the petitioners are in possession of their respective houses by virtue of their registered sale deeds. It is also the case of the petitioners that the said houses are assessed to tax and they have been paying property tax to their respective Gram Panchayats. While so, the respondents placing reliance on the proceedings issued by respondent No.2 in Rc.No.E2/4753/2015, dated 15.06.2016, are trying to dispossess the petitioners from their respective houses.

3. According to learned counsel for the petitioners, as per the proceedings dated 15.06.2016, the land situated in Survey Nos.204 admeasuring Acs.2.00 situated at Mailaram Village, Ghanpur Mandal, was allotted for construction of new Fire Station. It is further contended that though the subject land, which is in occupation of the petitioners in this batch of matters, is nothing to do with the said land and the houses of the petitioners are situated in Ghanpur Village, the respondents are trying to dispossess the petitioners by placing reliance on the said proceedings dated 15.06.2016 issued by respondent No.2.

4. Learned Assistant Government Pleader for Revenue, on instructions, submitted that land admeasuring Acs.2.00 in Survey No.204 situated at Mailaram Village, Ghanpur Mandal, was allotted for construction of new Fire Station through proceedings dated 15.06.2016 and the said land was handed over to the Station Fire Officer, Ghanpur, under a cover of panchanama, dated 17.08.2016, by the Mandal Revenue Inspector, Ghanpur, but the work of construction has not yet been taken up and the land is lying vacant. It is further stated that during the field enquiry, encroachments over the said land were noticed and while the respondents were taking steps by

initiating the proceedings under the Telangana Land Encroachment Act, 1905 (for short, 'the Act, 1905'), the petitioners have approached this Court with a view to interdict the legal proceedings that are initiated against them.

5. From the submissions made on behalf of learned Assistant Government Pleader, it is evident that the land which is said to be allotted for construction of Fire Station is in occupation of some third parties and a legal process is sought to be initiated for evicting the persons who encroached into the said land by initiating the proceedings under the Act, 1905. The contention of the petitioners that they have been in possession of the subject land by constructing their respective houses is not denied.

6. In view of the same, the writ petitions are disposed of directing the respondents not to interfere with the peaceful possession of the petitioners subject houses or dispossess them from their respective houses without following due process of law.

Miscellaneous Petitions, if any, pending in the writ petitions shall stand closed.

**SD/-K.VENKAIAH**  
**ASSISTANT REGISTRAR**

**SECTION OFFICER**

**// TRUE COPY //**

To

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat, Hyderabad.
2. The District Collector, Jayashankar Bhupalpally District.

3. The Revenue Divisional Officer, Mulugu Division, Jayashankar Bhupalpally District.
  4. The Tahsidlar, Ghanapur Mandal, Jayashankar Bhupalpally District.
  5. The District Fire Officer, Jayashankar Bhupalpally District
  6. Two CCs to the GP for Revenue, High Court for the State of Telangana [OUT]
  7. Two CCs to the GP for Home, High Court for the State of Telangana [OUT]
  8. One CC to Sri Tera Rajanikanth Reddy, Advocate [OPUC]
  9. Two C.D. Copies
  10. One Spare Copy.
- MRC

SW



HIGH COURT

DATED: 17-06-2022

COMMON ORDER

WP Nos.25296, 25439, 25465, 25472,  
25669 & 25840 OF 2022



DISPOSING OF ALL THE WRIT PETITIONS

(13)  
MA  
7/7/22