

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
FRIDAY, THE EIGHTH DAY OF JULY TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION NO: 28587 OF 2022

Between:

Gangi Jagan, S/o. Narsimha

...Petitioner

AND

1. The State of Telangana, rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Medchal-Malkajgiri District.
3. The Tahsildar, Ghatkesar Mandal Medchal-Malkajgiri 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, to declare the action of the 3rd respondent in erecting the Caution Board in the petitioners land in Sy.No.196/Lu admeasuring Ac. 0.33 gts., situated at Ankushapur village, Ghatkesar Mandal, Medchal-Malkajgiri District, erstwhile Ranga Reddy District, without passing any orders on the explanation dt:14.6.2022 submitted by the petitioner to the show Notice dt: 26.5.2022 bearing No.B/388/2022, as being illegal, arbitrary, unjust, unconstitutional and colourable exercise of powers and consequently direct the 3rd respondent not to adopt any illegal and coercive methods without following the due process of Law.

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondent No.3 herein to forthwith remove the caution board erected in the petitioner's land in Sy.No.196/Lu admeasuring Ac. 0.33 gts., situated at Ankushapur village, Ghatkesar Mandal, Medchal-Malkajgiri District, erstwhile Ranga Reddy District, by preventing him from interfering with the peaceful possession and enjoyment of the petitioner, pending disposal of WP.No.28587 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of M/s. P. VIJAYA LAKSHMI Advocate for the Petitioner and Assistant GP FOR REVENUE for the Respondents, the Court made the following.

ORDER:

This is a case where the petitioner claims to be an assignee of the subject land, and she has been in possession and enjoyment of the same and doing agricultural operations therein.

However, the 3rd respondent herein issued notice in Form-I dated 26.05.2022 under Sub-Section (2) of Section 3 of Telangana Assigned Lands (Prohibition of Transfers) Act, 1977 to the petitioner.

Thereafter, petitioner claims to have submitted an explanation dated 14.06.2022 to the 3rd respondent herein. However, the 3rd respondent, without passing any orders on the said explanation submitted by the petitioner, erected a board in the subject land with caption 'CAUTION' thereby interfering with the possession of the petitioner over the subject land.

This matter came up yesterday and the same was adjourned to to-day to enable the learned Assistant Government Pleader for Revenue, for the respondents, to get instructions in the matter.

To-day, the learned Assistant Government Pleader for Revenue, submitted that so far he has not received any instructions in the matter.

In view of the same, pending further orders, the respondents are directed not to interfere with the possession and enjoyment of petitioner's land over an extent of Ac.0.33 gts. in Survey No.196/LU, situated at Ankushapur Village, Ghatkesar Mandal, Medchal-Malkajgiri District till the next date of hearing.

List the Writ Petition on 15.07.2022 in the 'Advanced Motion List'.

SD/- P. PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat, Hyderabad.
2. The District Collector, Medchal-Malkajgiri District.
3. The Tahsildar, Ghatkesar Mandal Medchal-Malkajgiri District (RR 1 to 3 by RPAD).
4. One CC to M/s. P. VIJAYA LAKSHMI, Advocate [OPUC].
5. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT].
6. One spare copy
ZEE

HIGH COURT

MSKJ

DATED:08/07/2022

**LIST THE WRIT PETITION ON 15.07.2022 IN THE 'ADVANCED
MOTION LIST'.**

ORDER

WP.No.28587 of 2022

DIRECTION

