HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THURSDAY, THE SEVENTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HONOURABLE SMT JUSTICE RENUKA YARA

WRIT APPEAL NO: 435 OF 2025

Writ Appeal under clause 15 of the Letters Patent Preferred Against Order Dated 17/03/2025 in WP No 21987 of 2023. on the file of the High Court.

Between:

K V Dayakar Rao, S/o.Rammohan Rao, Age.49 Years Occ. Private Employee, R/o.H No.1-92,Main Road Rudrakshapally, Kakarlapally Post, Sathupalli Mandalam, Khammam District,Telangana-507303 Temporarily R/o at H No.5-2-3/ 1 Ambasatram Veedhi,Bhadrachalam Bhadraddi Kothagudem District Telangana-507 111

...APPELLANT

AND

1. The State of Telangna, Rep by its Principal Secretary (Endowment Department) Secretariat,
2. The Commissioner Endowments Department, Bhuggalakunta Hyderabad, Telangana
3. The District Collector, Khammam District, Telangana State
4. The Commissioner of Police, Khammam, At Khammam District, Telangana
5. The Assistant Commissioner Endowments Department, Khammam District, Telangana
6. The Tahsildar at Sathupalli, Khammam District, Telangana
7. The M.P.D.O., Sathupalli Mandalam, Khamma District-507 303,
8. The Asst. Commissioner of Police, Kallur, Sathupalli Khammam District-507 303,
9. The Station House Officer, Sathupalli Police Station at Sathupalli
10. The Grama Panchayat, Rudrakshapalli Village, Rep.by its Secretary. Kakarlapalli Post, Sathupalli Mandal, Khamma District,Telangana-507 303

11. Sri.Surya Prakash, S/o riot known to the petitioner, Age.Major, Occ.Employee in Endowment Department, R/o.C/o.Asst.Commissioner of Endowment Depat. at Khammam Town and District.

12. Sri. Dasari Jaipal Reddy, S/o Buchirami Reddy, Age.67 Years, Occ. Legal Practitioner/o Flat No. 101,Ravikiran Apts, StreetNo.6, Himayatnagar, Hyderabad

13. Sri.Dasari Sridhar Reddy, S/o Sivaji Reddy, Age. Major, Occ. Political Leader, R/o Rudrakshapalli Village, Kakarlapalli Post,Sathupalli Mandal,Khamma Dist.

14. Angotu Sakru, S/o Rambabu, Agd. Major, Occ. Political Leader, R/o Rudrakshapalli Village, Kakarlapalli Post,Sathupalli Mandal,Khammam Dist.

...RESPONDENTS

IA NO: 2 OF 2025

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 suspend the orders dated 17-03-2025, passed in WP.NO. 21987 OF 2023, by his Lord ships Sri. justice E.Venugopal.

Counsel for the Appellant: SRI G. L. NARASIMHA RAO

Counsel for the Respondent Nos.1,2 and 5: SRI BHKYA MANGILAL NAIK, GP FOR ENDOWMENTS

Counsel for the Respondent Nos.3 and 6: MS. T. SWETCHA, AGP FOR REVENUE

Counsel for the Respondent Nos.4,8 and 9: SRI MAHESH RAJE, GP FOR HOME DEPARTMENT

Counsel for the Respondent Nos.7 and 10: SRI K. PRADEEP REDDY

Counsel for the Respondent No.13: SRI D. JAIPAL REDDY

The Court delivered the following: JUDGMENT

THE HON'BLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HON'BLE SMT. JUSTICE RENUKA YARA

WRIT APPEAL No.435 of 2025

JUDGMENT *(Per the Hon'ble the Acting Chief Justice Sujoy Paul)*:

Sri G.L. Narasimha Rao, learned counsel for the appellant; Sri Bhukya Mangilal Naik, learned Government Pleader for Endowments, for respondent Nos.1, 2 and 5; Ms. T. Swetcha, learned Assistant Government Pleader for Revenue, for respondent Nos.3 and 6; Sri Mahesh Raje, learned Government Pleader for Home Department, for respondent Nos.4, 8 and 9; Sri K. Pradeep Reddy, learned counsel for respondent Nos.7 and 10 and Sri D. Jaipal Reddy, learned counsel for respondent No.13.

2. The W.P.No.21987 of 2023 filed by the appellant has been dismissed by the learned Single Judge on 17.03.2025 by holding it to be dismissed as infructuous because the Temple has already been constructed in the land in question.

3. Learned counsel for the appellant submits that rather holding that the writ petition is 'disposed of', learned Single Judge mentioned it as 'dismissed'. The other side may take advantage of the same. The official respondents have taken a

definite stand in their counter which may be reproduced in the order.

4. We are not inclined to do so, because if the counter has been filed by the official respondents and a specific stand has been taken, the said counter can be used and relied upon by the appellant in any further proceedings. We find no reason to entertain this Writ Appeal. Liberty is reserved to the appellant to approach the appropriate forum, if he is still aggrieved. Needless to mention that in those proceedings, the appellant may place reliance on the said counter.

5. With aforesaid observation and without expressing any opinion on merits of the case, this Writ Appeal is **disposed of**. No costs.

Interlocutory applications, if any pending, shall also stand closed.

SD/-M.MANJULA
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, The State of Telangna, (Endowment Department) Secretariat,
2. The Commissioner Endowments Department, Bhuggalakunta Hyderabad, Telangana
3. The District Collector, Khammam District, Telangana State
4. The Commissioner of Police, Khammam, At Khammam District, Telangana
5. The Assistant Commissioner Endowments Department, Khammam District, Telangana
6. The Tahsildar at Sathupalli, Khammam District,Telangana
7. The M.P.D.O., Sathupalli Mandalam, Khamma District-507 303,
8. The Asst. Commissioner of Police, Kallur, Sathupalli Khammam District-507 303,
9. The Station House Officer, Sathupalli Police Station at Sathupalli

10. The Secretary, The Grama Panchayat, Rudrakshapalli Village, Kakarlapalli Post, Sathupalli Mandal, Khamma District,Telangana-507 303
11. One CC to Sri G. L. Narasimha Rao, Advocate [OPUC]
12. Two CCs to GP for Endowments, High Court for the State of Telangana, at Hyderabad [OUT]
13. Two CC to The GP for Revenue, High Court for the State of Telangana, at Hyderabad[OUT]
14. Two CC to The GP for Home, High Court for the State of Telangana, at Hyderabad[OUT]
15. One CC to Sri K. Pradeep Reddy, Advocate[OPUC]
16. One CC to Sri D. Jaipal Reddy, Advocate[OPUC]
17. Two CD Copies

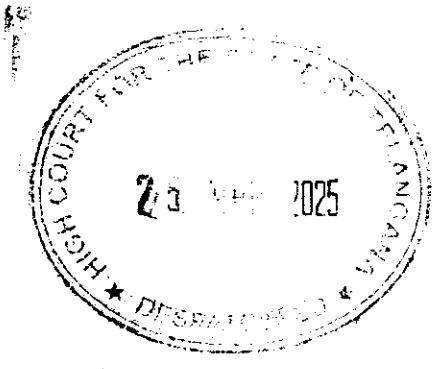
TJ
BS

HIGH COURT

DATED:17/04/2025

JUDGMENT

WA.No.435 of 2025



DISPOSING OF THE APPEAL

WITHOUT COSTS

(22)

kpa
25/4/25