HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE TWENTY SECOND 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: 382 OF 2025

Writ Appeal under clause 15 of the Letters Patent Preferred Against the Order dated. 04-02-2025, Passed in WP.No. 32417 of 2024. on the file of the High Court.

Between:

1. Rachamalla Rama chandraiah(died as per LRs), Rachamalla Sandeep Yadav S/o Late Rachamalla Ramchandraiah, Aged about. 40 years, Occ. Business, R/o. H.No.2-3-724/7/1/5, Maruthti Nagar, Amberpet, Hyderabad.
2. Rachamalla Shiva, S/o Late Ramachandraiah, Aged about. 35 years, Occ. Agriculture, R/o. H.No.1-54, Gundlapahad village, Palakeedu mandal, Suryapet district.
3. Yallavula Nagalaksmi, D/o Late Rmachandraiah, Aged about. 38 years, Occ. Housewife, R/o. H.No.4-88/1, Keethavarigudem, Garidepally Mandal, Suryapet district.

...APPELLANTS/RESPONDENT Nos.6 TO 8

AND

1. Rachamalla Saidulu, S/o Bikshamaiah, Aged about. 48 years, Occ. Agriculture, R/o. Tripuram village and mandal, Nalgonda district.

...RESPONDENT/WRIT PETITIONER

2. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat Building, Secretariat, Hyderabad.
3. The District Collector, Nalagonda, Nalgonda district.
4. The Revenue Divisional officer, Miryalaguda Division, Nalgonda district.
5. The Tahsildar, Tripuram mandal, Nalgonda district.

...RESPONDENTS

IA NO: 1 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 operation of the order in W.P.No.32417 of 2024.

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 receive the material papers as an additional material papers.

Counsel for the Appellants: SRI CHAITHANYA.K
Counsel for the Respondent No.1: SRI RAPOLU BHASKAR
Counsel for the Respondent Nos.2 TO 5: SRI KATRAM MURALIDHAR REDDY, GP FOR REVENUE

The Court made the following: JUDGMENT

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

WRIT APPEAL No.382 of 2025

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

Sri K. Chaithanya, learned counsel for the appellants; Sri Rapolu Bhaskar, learned counsel for respondent No.1 and Sri Katram Muralidhar Reddy, learned Government Pleader for Revenue, for respondent Nos.2 to 5.

2. The learned Single Judge, while disposing of the instant Writ Petition at paragraph Nos.6 and 7 opined as under:

> "6. This writ petition is filed questioning the proceedings vide No.B/187/2022 dated 18.10.2024 passed by respondent No.4 recommending for issuance of supplementary sethwar and for rectification of the entries in the revenue records. The petitioner has not questioned the proceedings No.A/225/2022 dated 09.06.2022 issued by the Additional Collector, which is the basis for issuance of the impugned proceedings dated 18.10.2024 by the respondent No.4. The disputes herein are relating to the identification and change of extent mentioned in the disputed survey numbers. These issues are required to be adjudicated either by the competent civil Court or by the authority constituted under the provisions of the L.R.Act, 1317 Fasli. The grievance of the petitioner is that no notice is issued to him before conducting survey and the said action on the part of respondents amounts to violation of principles of natural justice.
>
> 7. Since it is the case of the petitioner that no notice is issued to him prior to conducting survey, this Court is of the opinion that ends of justice would be met if the petitioner is permitted to file an application under Section 166-C of the Telangana Land Revenue Act, 1317F, before the Government, if he is aggrieved with the proceedings dated 09.06.2022 issued by the Additional Collector, within a period of three (3) weeks from the date of receipt of copy of this order. In the event of filing such application, respondent No.1 is directed to examine the same by duly calling for the connected records and after issuing notice to all the interested parties, pass

appropriate orders, in accordance with law. Till the disposal of the application to be filed by the petitioner, the Tahsildar is directed not to entertain any applications for rectification of entries/change of extent or survey numbers/for issuance of supplementary setwar/change of nature of the lands in respect of the subject property, in any manner. In case, if the petitioner has not filed any application within the time stipulated above, the respondents are at liberty to take appropriate action, in accordance with law."

(Emphasis Supplied)

3. As per the aforesaid order of the learned Single Judge, respondent No.1/writ petitioner was at liberty to assail the order/proceedings No.A/225/2022 of the Additional Collector, dated 09.06.2022 before the Government.

4. On a specific query from the Bench, learned counsel for respondent No.1/writ petitioner submits that respondent No.1 preferred an application before the District Collector against the aforesaid order of the Additional Collector.

5. Learned counsel for the appellants/respondent Nos.6 to 8 submits that the said application filed by respondent No.1 before the District Collector is not maintainable. The order of this Court in the instant Writ Petition is very clear that if the writ petitioner has not filed any application within the stipulated time before the Government, the official respondents were at liberty to take appropriate action, in accordance with the law.

6. Learned Government Pleader of Revenue submits that against the order of the Additional Collector, no appeal lies to the District Collector.

7. Since respondent No.1/writ petitioner has not preferred any proceedings before the appropriate authority as directed by the learned Single Judge in his order in paragraph No.7, official respondents/respondent Nos.2 to 5 are at liberty to proceed in accordance with the law. It is made clear that since respondent No.1/writ petitioner has not availed the remedy as mentioned in paragraph Nos.6 and 7 of the impugned order of the learned Single Judge, there is no impediment before the official respondents to proceed in accordance with the law.

8. With the aforesaid and without expressing any views on the merits of the matter, this Writ Appeal is **disposed of**. No order as to costs. Miscellaneous petitions pending, if any, shall stand closed.

SD/-M.MANJULA
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Revenue Department, Secretariat Building, Secretariat, Hyderabad, State of Telangana.
2. The District Collector, Nalagonda, Nalgonda district.
3. The Revenue Divisional officer, Miryalaguda Division, Nalgonda district.
4. The Tahsildar, Tripuram mandal, Nalgonda district.
5. One CC to SRI CHAITHANYA.K, Advocate [OPUC]
6. One CC to SRI RAPOLU BHASKAR, Advocate [OPUC]
7. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad. [OUT]
8. Two CD Copies

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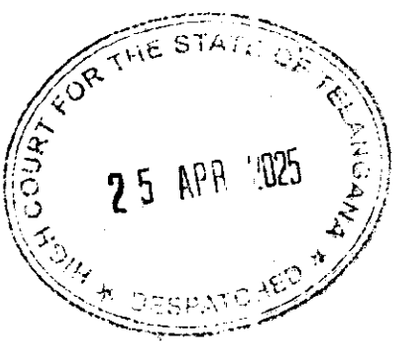
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HIGH COURT

DATED:22/04/2025

JUDGMENT

WA.No.382 of 2025



DISPOSING OF THE WRIT APPEAL WITHOUT COSTS

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