HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY ,THE FIFTEENTH 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: 395 OF 2025

Writ Appeal under clause 15 of the Letters Patent Preferred Against the Order Dated 21/02/2025, Passed in I.A. No. 1 OF 2024 W.P. No. 31753 of 2021 on the file of the High Court.

Between:

Mr. S Satyanarayana, S/o S Jogaiah, Age 70 Yrs., Occ Rtd. BSNL Employee, R/o H.No. 13-6-434/C/61/A Maruti Nagar, Langar House Hyderabad - 500 008.

...APPELLANT/RESPONDENT NO.4

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. Government of Telangana, Rep. by its District Collector (appellate tribunal under Maintenance and welfare of Parents and Senior Citizens Act 2007) 0/a Hyderabad Collectorate Nampally Road Abids, Hyderabad.
3. The Revenue Divisional Officer, Hyderabad Division, Nampally, Hyderabad.
4. Mr. S. Vasudev, S/o S Satyanarayana, Aged 38 yrs., Occ Service R/o. H.No. 13-6-434/C/61/A, Maruti Nagar, Langar House, Hyderabad - 500 008.
5. Mr. S. Rakesh, S/o S.Satyanarayana, Aged 37 yrs., Occ Service, R/o. H.No. 13-6-434/C/61/A ,,Maruti Nagar, Langar House, Hyderabad - 500 008.
6. Mrs. Amulya, W/o Mr. S. Rakesh, Aged 35 yrs., Occ Service. R/o. H.No. 13-6-434/C/61/A. Maruti Nagar, Langar House. Hyderabad - 500 008.

...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 orders passed in I.A.No. 1 of 2024 in W.P. No. 31753 of 2021 dated 21/02/2025, thereby directing the respondent no.4 to allow the appellant to stay in

the ground floor portion in respect of the House in question i.e H.No. 13-6-434/C/61/A Maruti Nagar, Langar House Hyderabad - 500 008 pending disposal of the present Writ Appeal

Counsel for the Appellant: SRI THAKUR VIJAYENDER SINGH REPRESENTING FOR SRI. PRANAV THAKAR

Counsel for the Respondent nos.1 to 3: Ms.T. SWETCHA AGP FOR REVENUE

Counsel for the Respondent Nos.4 to 6: ----

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.395 of 2025

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

Sri Thakur Vijayender Singh, learned counsel appearing for Sri Pranav Thakar, learned counsel for the appellant and Ms.T.Swetcha, learned Assistant Government Pleader for Revenue, appearing for respondent Nos.1 to 3.

2. Heard on admission.

3. This intra-court appeal assails an interlocutory order passed by the learned Single Judge in I.A.No.1 of 2024 in W.P.No.31753 of 2021 dated 21.02.2025.

4. Learned counsel for the appellant (respondent No.4 in the writ petition) submits that I.A.No.1 of 2024 in W.P.No.31753 of 2021 was filed by the appellant seeking certain relief, but, after interacting with the litigants, the learned Single Judge has passed an order and has not taken care of the relief claimed by the appellant.

5. On more than one occasion, a specific question was raised by this Court whether against such an interlocutory order, the writ appeal is maintainable and whether it can be entertained after giving consent and pleading in paragraph No.8 of the writ appeal as under:-

> "That the appellant has received the amount before the court as he was not able to understand what is happening **but subsequently realized that he had to live out of the house as such the appellant is ready to return the money from the day he is permitted to live in the said premises.** The appellant humbly submits that because of his elderly aged he was not able to take immediate decision at that point of time."
>
> (Emphasis supplied)

6. No answer is forthcoming from the learned counsel for the appellant. If the appellant's prayer is still pending and has not been decided by the learned Single Judge and if the appellant is seeking review or modification of the order passed by the learned Single Judge, after realizing/understanding it, the remedy is before the same Bench.

7. This writ appeal cannot be entertained and accordingly, **disposed of** by reserving liberty to the appellant to file an appropriate application in the writ petition. It is made clear that

this Court has not expressed any opinion on the merits of the case. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

SD/-B.SATYAVATHI
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The District Collector (appellate tribunal under Maintenance and welfare of Parents and Senior Citizens Act 2007) 0/a Hyderabad Collectorate Nampally Road Abids, Hyderabad.
3. The Revenue Divisional Officer, Hyderabad Division, Nampally, Hyderabad.
4. One CC to SRI. PRANAV THAKAR Advocate [OPUC]
5. Two CCs to GP FOR REVENUE ,High Court for the State of Telangana. [OUT]
6. Two CD Copies

KKS
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HIGH COURT

DATED:15/04/2025



JUDGMENT

WA.No.395 of 2025

DISPOSING THE WRIT PETITION WITHOUT COSTS

(9)

kyr
28/4/25