IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE NINTH DAY OF JUNE
TWO THOUSAND AND TWENTY FIVE

PRESENT

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

WRIT APPEAL NO: 534 OF 2025

Writ Appeal under clause 15 of the Letters Patent against dated 09.04.2025 in W.P. No. 1342 of 2018 on the file of the High Court.

Between:

1. Pasham Narsimlu, S/O Narsimlu, Aged about . 62 years , Occ. R/o Indalvai Village , Dichpally (M) Nizamabad District.
2. Gaddam Kishta Reddy, S/o Ramulu , Aged about 59 years , Occ. R/o Dichpally(village) and Mandal , Nizamabad District

...APPELLANTS

AND

1. Jameel Ahmed, S/o Shaik Abdullah, aged about 49 years, Occ. Business,
2. Abdul Saleem, S/o Sheik Abdullah , Aged about 59 years, Occ. Business (DIED), represented through his L.Rs. Respondents No. 4 to 7
3. Naseem Pasha, S/o Shaik Abdullah, Aged about 36 years, Occ. Business, R/o. H.No.1-8-51, Phulong , Nizamabad, Nizamabad District.
4. Smt. Nazma Shaheen, W/o Late Abdul Saleem, Aged 51 years, Occ. Household, R/o. H.No.1-8-51, Phulong , Nizamabad, Nizamabad District.
5. Mohd.Nayab Baba, S/o Late Abdul Saleem, Aaged 32 years, Occ. Business, R/o. H.No.1-8-51, Phulong , Nizamabad, Nizamabad District.
6. Mohd.Shoeb Pasha, S/o Late Abdul Saleem, Aged 30 years, Occ. Business, R/o. H.No.1-8-51, Phulong , Nizamabad, Nizamabad District.
7. Mohd. Shahabaz Pasha, S/o Late Abdul Saleem, Aged 23 years, Occ. Business, R/o. H.No.1-8-51, Phulong , Nizamabad, Nizamabad District. (The Respondents 4 to 7 are added as L.Rs. Of Respondent No. 2 in pursuance of the Order of this Honble Court in I.A. No. 1/ 2024 Dt. 06/ 02/ 2025)
8. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat Building, Hyderabad.
9. The Joint Collecter and Additional District Magistrate, Nizamabad, Nizamabad District
10. The Revenue Divisional Officer, Nizamabad, Nizamabad District

11. The Tahsildar, Dichpally, Nizamabad.

12. Mohd Yousuf, S/o Shaik Ahmed (died) Represented through LRs 13 and 14

13. Md. Mustaq, S/o Mohd Yousuf, Aged about. 37 yrs, Occ. Service- R/o B-19-F2, Vinayak Nagar, Nizamabad, Nizamabad District

14. Md. Manzoor, S/o Mohd Yousuf, Aged about. 42 yrs, Occ. Business, R/o B-19-F2 , Vinayak Nagar, Nizamabad, Nizamabad 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 orders passed in W. P. No.1342 of 2018 dated 09.04.2025 by the learned single judge pending disposal of the above Writ Appeal.

Counsel for the Appellant : SRI S.ABHAYA KUMAR SAGAR

Counsel for the Respondents No.1to7 : SRI T.V.KALYAN SINGH

Counsel for the Respondents No.8to11 : SRI MURALIDHAR REDDY KATRAM, GP FOR REVENUE

Counsel for the Respondents No.12to14 : --

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.534 of 2025

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

Sri Radhive Reddy, learned counsel represents Sri S. Abhay Kumar Sagar, learned counsel for the appellants; Sri T.V. Kalyan Singh, learned counsel for respondent Nos.1 to 7 and Sri Muralidhar Reddy Katram, learned Government Pleader for Revenue, for respondent Nos.8 to 11.

2. With the consent, finally heard.

3. This *intra*-court appeal is directed against the order dated 09.04.2025 passed by a learned Single Judge of this Court in W.P.No.1342 of 2018.

4. Learned counsel for the appellants, by taking this Court to the relief claimed before the writ Court, submits that the said relief and merits on the strength of which it was claimed was not disclosed and considered by the learned Single Judge. The whole order of learned Single

Judge is based on the decision made in A.S.No.10 of 2019 after filing of the writ petition. He submits that the present appellants are not parties to the proceedings in A.S.No.10 of 2019.

5. Learned counsel for the other side supported the impugned order and urged that even on merits the writ petitioners have no case. Learned counsel intended to take us to the merits of the case.

6. Learned Single Judge has admittedly not dealt with the merits of the case and solely decided the matter on the basis of disposal of A.S.No.10 of 2019. The impact of said decision when the present appellants were not parties to A.S.No.10 of 2019 was also not considered. No finding is recorded as to how the decision of A.S.No.10 of 2019 can have an impact on the question involved in the writ petition. In this backdrop, we are not inclined to enter into the merits of the case. Instead, we deem it proper to set aside the impugned order dated 09.04.2025 and remit the matter back before the learned Single Judge to rehear the parties and consider the impact of A.S.No.10 of 2019 on the merits

of the case, keeping in view the fact that the present appellants were not parties to A.S.No.10 of 2019.

7. Accordingly, this Writ Appeal is **disposed of**. No costs.

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

SD/-V.KAVITHA
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, Secretariat Building, State of Telangana, Hyderabad.
2. The Joint Collecter and Additional District Magistrate, Nizamabad, Nizamabad District
3. The Revenue Divisional Officer, Nizamabad, Nizamabad District
4. The Tahsildar, Dichpally, Nizamabad.
5. One CC to SRI S.ABHAYA KUMAR SAGAR, Advocate. [OPUC]
6. One CC to SRI T.V.KALYAN SINGH, Advocate. [OPUC]
7. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
8. Two CD Copies.

BSK

GJP

HIGH COURT

DATED:09/06/2025



JUDGMENT

WA.No.534 of 2025

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

(11) Copies

20/6/25