HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE TWENTY EIGHTH DAY OF JULY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE CHIEF JUSTICE APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE P.SAM KOSHY

WRIT APPEAL NO: 131 OF 2025

Writ Appeal under clause 15 of the Letters Patent preferred against the Order dated 28/11/2024 in W.P No. 33466 of 2024 on the file of the High Court.

Between:

Arsham Pochaiah, S/o. Muthaiah, aged about 74 years, Occ. Agriculture, R/o. Mallareddypally H/o.Korkal Village Veenavanka Mandal, Karimnagar District.

...APPELLANT

AND

1. The State of Telangana, rep. by its Principal Secretary, Panchayatraj Department, Secretariat, Hyderabad.
2. The District Panchayat Officer, Karimnagar
3. The Mallareddy Palli Grampanchayt, Rep. by its Sarpanch.
4. Middasani Mallaiah, s/o.Chinna Lasumaiah, Aged about 79 years, Occ. Agriculture, R/o. Mallareddypally H/o. Korkal Village, Veenavanka Mandal, Karimnagar District.
5. Arsham Rajaiah, S/o. Asham. Parvathalu, aged about 59 years, Occ . Agriculture, R/o. Mallareddypally H/o. Korkal Village, Veenavanka Mandal, Karimnagar District,
6. Siddanki Komaraiah, S/o. Ramaiah, Aged about 74 years, Occ . Agriculture, R/ o. Narsingapoor Village, Veenavanka Mandal, Karimnagar District

...RESPONDENTS

Counsel for the Appellant: SRI S.SRIDHAR
Counsel for the Respondent No.1 & 2: SRI SHAZIA PARVEEN, GP FOR PANCHAYAT RAJ RURAL DEV
Counsel for the Respondent No.3: SRI PRADEEP REDDY KATTA, SC FOR ZPP/GRAM PANCHAYAT
Counsel for the Respondent Nos. 4 TO 6. ----------

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HON'BLE SRI JUSTICE P.SAM KOSHY

WRIT APPEAL NO.131 OF 2025

JUDGMENT:

Heard Mr. S.Sridhar, learned counsel for appellant, Mr. Shazia Parveen, learned Government Pleader for Panchayat Raj appearing for respondent Nos.1 and 2, and Mr.Pradeep Reddy Katta, learned Standing Counsel for ZPP/Gram Panchayat appearing for respondent No.3.

2. Writ Petitioner is the appellant, who is aggrieved by the order dated 28.11.2024 of the learned Writ Court, whereby the learned Court did not interfere in the impugned order passed by respondent No.2, dated 23.10.2024 (at page No.14), whereby it was held that since there was land dispute between both the parties, they should have approached the concerned Civil Court. It is true that Execution Petition No.53 of 2013 is pending, arising out of judgment and decree passed in O.S.No.46 of 2000, before the learned Junior Civil Judge at Huzurabad.

Writ Petitioner had approached this Court in W.P.No.12122 of 2024 as representations made before the District Panchayat Officer, Karimnagar - 2nd respondent, are pending. The representations related to alleged encroachments and illegal constructions over the subject land, which was apparently the suit land, in respect of which judgment and decree dated 28.02.2002 passed in favour of writ petitioner/appellant.

3. Learned Writ Court refused to interfere in the matter since the Execution Petition arising out of the judgment and decree passed by the learned Civil Court in O.S.No.46 of 2000, was already pending.

4. We are also of the considered opinion that parallel proceedings for the same cause of action and that too in the circumstances when the writ petitioner is the decree-holder in respect of the same subject land pursuing the Execution Petition No.53 of 2013 should not be entertained. We therefore, refuse to interfere in the order of learned Writ Court.

5. It is informed that W.P.No.12122 of 2024 is still pending, though the interim direction for disposal of the representations was given and the same has already been made effective by passing an order dated 23.10.2024.

6. Registry would endeavour to place the said Writ Petition No.12122 of 2024 before the appropriate Bench at an early date under the caption "For infructuous matters".

7. The Writ Appeal is accordingly disposed of. However, there shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

SD/-N. SRIHARI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Panchayatraj Department, Secretariat, Hyderabad, State of Telangana.
2. The District Panchayat Officer, Karimnagar
3. The Sarpanch, Vallareddy Palli Grampanchayt.
4. The Section Officer, Writ Non-Service Section, High Court for the State of Telangana at Hyderabad.
5. One CC to SRI S.SRIDHAR, Advocate [OPUC]
6. One CC to SRI PRADEEP REDDY KATTA, SC FOR ZPP/GRAM PANCHAYAT [OPUC]
7. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV, High Court for the State of Telangana at Hyderabad [OUT]
8. Two CD Copies

BSR
LS pmc.

HIGH COURT

DATED: 28/07/2025

JUDGMENT

WA.No.131 of 2025



DISPOSING OF THE WRIT APPEAL,

WITHOUT COSTS

(11) PMG.
23/10/25