

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**WEDNESDAY, THE FOURTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 34071 OF 2024

Between:

1. Macha Bagamma, W/o. Macha Bhupal, Aged. 45 Years, Occ. Housewife, R/o. 6-5, GungalVilage, Yacharam Mandal, Ranga Reddy District
2. Macha Chandravardhan, S/o Macha Bhupal, Indian, Aged.24 years, Occ. Pvt. Employee, R/o. 6-5, GungalVilage, Yacharam Mandal, Ranga Reddy District

.....PETITIONERS

AND

1. State of Telangana, rep. by its Principal Secretary Revenue Department Secretariat, Hyderabad.
2. The District Collector, Ranga Reddy District.
3. The Revenue Divisional Officer, Ibrahimpatnam, Ranga Reddy District.
4. The Mandal Revenue Officer/ Thasildhar, Yacharam Mandal, Ranga Reddy District.
5. Giramoni Kamma, W/o. G. Naraiah, Aged about 70 years, Occ. Housewife R/o. GungalVilage, Yacharam Mandal, Ranga Reddy District.
6. Giramoni Laxamma, W/o. Late Sathaiah, Aged about 75 years, Occ. Agriculture R/o. GungalVilage, Yacharam Mandal, Ranga Reddy District.
7. Giramoni Raju, S/o. Late G. Naraiah, Aged about 50 years, Occ. Agriculture, R/o. GungalVilage, Yacharam Mandal, Ranga Reddy District.
8. Giramoni Ravi, S/o. Late G. Naraiah, Aged about 45 years, Occ. Agriculture, R/o. GungalVilage, Yacharam Mandal, Ranga Reddy District.
9. Giramoni Pandu, S/o. Late G. Sathaiah, Aged about 40 years, Occ. Agriculture, R/o. GungalVilage, Yacharam Mandal, Ranga Reddy District.
10. Giramoni Narender, S/o. Late G. Sathaiah, Aged about 38 years, Occ. Agriculture, R/o. Gungal Village, Yacharam Mandal, Ranga Reddy District.
11. Giramoni Anjaneyulu, S/o. Late G. Sathaiah, Aged about 38 years, Occ. Agriculture, R/o. GungalVilage, Yacharam Mandal, Ranga Reddy District.

.....RESPONDENTS

Petition Under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the action of official Respondents for not considering Petitioner representation dated.06-08-2024 and for mutating the name of the Respondents No.5 to 11 and issuing pattadar pass book in their favour in respect of the property which is shown as the Road Way to Petitioners situated at Gungal village of Yacharam Mandal, Ibrahimpatnam Division, Ranga Reddy District as null, void and arbitrary and consequently direct the official Respondents to cancel the mutation proceedings of Respondent No.3 and Resurvey of pathway of Petitioners land in respect of which Pattadar Pass Books are issued to the unofficial respondents No.5 to 11 and cancel the Pattedar Pass book and title deed issued in favour of the Respondents No. 5 to 11.

I.A.NO:1 OF 2024

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 direct the Official Respondents to consider my F-line application Dated. 14.10.2024 and conduct the survey along Resurvey of pathway of Petitioners land pending disposal of the above writ petition.

I.A.NO:2 OF 2024

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 direct the Official Respondents to considering petitioner representation dated.06-08-2024 and conduct Resurvey of pathway of Petitioners land in respect of which Pattadar Pass Books are issued to the unofficial respondents No.5 to 11 and cancel the Pattedar Pass book and title deed issued in favour of the Respondents No. 5 to 11 pending disposal of the above writ petition.

Counsel for the Petitioners : SRI B.HARISUGHANDH

Counsel for the Respondent Nos.1 to 4 : AGP FOR REVENUE

Counsel for the Respondent Nos.5 to 11 : --

The Court made the following ORDER

THE HON'BLE SRI JUSTICE C. V. BHASKAR REDDY

WRIT PETITION No.34071 of 2024

ORDER:

It is stated that the petitioners are the owners and possessors of the land admeasuring Ac.02..30 guntas in Sy.Nos.568/A and 568/AA situated at Gungala Village, Yacharam Mandal, Irbahimpatnam Division, Ranga Reddy District, having acquired the same from their father. It is further stated that since the time immemorial there is existing pathway from the land adjacent to the eastern side of the petitioners' lands and the said pathway is recorded in the Village Naksha prepared under the provisions of the Telangana Land Revenue Act, 1317 Fasli and Hyderabad Survey and Settlement Manual. The grievance of the petitioners is that the respondent authorities, without taking into consideration of the existing pathway which is alone is the source to reach the lands of adjacent pattadars and the said pathway is depicted in the village revenue map, are now granted pattadar passbooks in favour of the unofficial respondents.

2. Considered the submissions of the learned counsel for the petitioners; learned Assistant Government Pleader for Revenue

appearing for respondent Nos.1 to 4 and with their consent this writ petition is disposed of at the admission stage. In view of the nature of relief sought in this writ petition issuance of notice to the unofficial respondents is dispensed with.

3. In view of the facts and circumstances of the case, this Court, without expressing any opinion whether there is existing pathway, which is the only source to have ingress and egress to the fields of the petitioner and adjacent pattadars and since is the case of the petitioner that the said pathway is existing in the village revenue map prepared under the provisions of the Telangana Land Revenue Act, 1317 Fasli, deems it appropriate to dispose of the writ petition directing respondent No.4 to conduct enquiry duly taking into consideration of the village revenue map and if there is existing pathway as recorded/depicted in the revenue records all the encroachments from the existing pathway shall be removed after issuing notice to all the interested persons, who rights have been affected, and pass appropriate orders in accordance with law within a period of three months from today.

4. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs.

5. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

SD/-MOHD. ISMAIL
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Revenue Department Secretariat, State of Telangana at Hyderabad.
2. The District Collector, Ranga Reddy District.
3. The Revenue Divisional Officer, Ibrahimpatnam, Ranga Reddy District.
4. The Mandal Revenue Officer/ Thasildhar, Yacharam Mandal, Ranga Reddy District.
5. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
6. One CC to SRI B.HARISUGHANDH, Advocate [OPUC]
7. Two CD Copies

SA
GJP

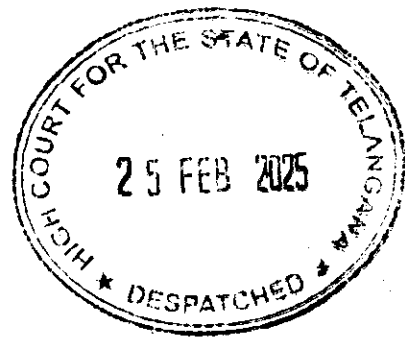
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HIGH COURT

DATED:04/12/2024

ORDER

WP.No.34071 of 2024



**DISPOSING OF THE W.P
WITHOUT COSTS.**

(15) PA
14/2/25