

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
TUESDAY, THE TENTH DAY OF JANUARY TWO THOUSAND AND
TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K.LAKSHMAN
WRIT PETITION NO: 46577 OF 2022

Between:

Sunkari Premalatha, w/o Srinivas,

Petitioner

AND

1. The State Of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad, T.S.
2. The Collector, Mancherla District, Mancherla.
3. The Joint Collector/Additional Collector, Mancherla, Mancherla District.
4. The Revenue Divisional Officer, Bellampally, Mancherla District.
5. The Tahasildar, Nennel Mandal, Mancherla 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 a writ, order or direction, more particularly one in the nature of WRIT OF MANDAMUS, declaring the action of the 4th respondent in issuing incomplete and defective Form-II notice vide Rc. No.B/888/2012 dated 29-11-2022 (served to petitioner on 04-12-2022) under Rule 3 of The Telangana Assigned Lands (Prohibition of Transfers) (Amendment) Act, 2018 and thereby seeking to dispossess the petitioner, without following the procedure contemplated thereunder, from his land in Sy. No.672/11 to an extent of Ac.4-16 guntas situated at Nennel Village, Nennel Mandal, Mancherla District as being illegal, arbitrary, unreasonable, contrary to the provisions of the Telangana Assigned Lands (Prohibition of Transfers) Act, 1977 and the Rules made thereunder and also contrary to the law laid down in Dasari Narayana Rao Vs. Deputy Collector and Mandal Revenue Officer, Sherlingampally reported in 2010 (6) ALD 536 and also in the case of Renew Wind Energy (TN2) (P) Ltd, Delhi Vs. Telangana Government and others reported in 2020 (1) ALD 49 (TS) and also violative of Articles 14, 21 and 300-A of the Constitution of India and consequently, set aside the said Form-II notice and direct the respondents not to interfere with the rights of the petitioner in respect of his above said land;

IA NO: 1 OF 2022:

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 grant stay of all further proceedings pursuant to the Form-II notice vide Rc. No.B/888/2012 dated 29-11-2022 (served to petitioner on 04-12-2022) in respect of petitioner's land in Sy. No.672/11 to an extent of Ac.4-16 guntas situated at Nennel Village, Nennel Mandal, Mancherla District pending disposal of the WP 46577 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI P LAKSHMA REDDY Advocate for the Petitioner and AGP FOR ASSIGNMENT for the respondents, the Court made the following.

ORDER:

At request of learned Assistant Government Pleader for Assignment to get instructions with regard to basis on which they have issued Form No.II, dated 29.11.2022 and to file counter, list on 31.01.2023 along with W.P.No.45212 of 2022.

Till then, there shall be interim suspension of the said Form No.II, dated 29.11.2022.

SD/- K. VENKAIAH
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana Secretariat, Hyderabad, T. S.
2. The Collector, Mancherial District, Mancherial.
3. The Joint Collector/Additional Collector, Mancherial, Mancherial District.
4. The Revenue Divisional Officer, Bellampally, Mancherial District.
5. The Tahasildar, Nennel Mandal, Mancherial District. (1 to 5 by RPAD)
6. One CC to SRI. P LAKSHMA REDDY Advocate [OPUC]
7. Two CCs to GP FOR ASSIGNMENT, High Court at Hyderabad. [OUT]
8. One spare copy

HIGH COURT

KLJ

DATED:10/01/2023

**POST ON 31-01-2023 ALONG WITH
W.P.NO.45212 OF 2022**

ORDER

WP.No.46577 of 2022

INTERIM SUSPENSION

