

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

**MONDAY, THE SIXTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

WRIT PETITION NO: 5696 OF 2015

Between:

1. M. Yadaiah, s/o Balaiah aged 56 years, Occ labourer r/o 1-60, Gachibowli, Hyderabad RR District
2. T. Jaihind, s/o Yellaiah aged 55 years, Occ labourer r/o 1-58, Gachibowli, Hyderabad RR District
3. G. Balraj, s/o Balaiah, aged 57 years Occ labourer r/o Gachibowli, Hyderabad RR District
4. G. Arjun, s/o Late G. Balaiah aged 37 years, Occ labourer r/o 1-28, Gachibowli, Hyderabad RR District
5. M. Laxman, s/o Hernia aged 68 years Occ labourer r/o 1-60/5, Gachibowli, Hyderabad RR District
6. J. Shiva, s/o J. Laxman aged 24 years Occ labourer r/o 1-60/7, Gachibowli, Hyderabad RR District
7. M. Ravi, s/o M. Shankar Late aged 48 years Occ labourer r/o 1-16/2, Gachibowli, Hyderabad RR District
8. M. Ravi Naik, s/o Late M. Shanker aged 27 years Occ labourer r/o 2-57, Gachibowli, Hyderabad RR District
9. M. Manikyam, s/o Hernia aged 65 years Occ labourer r/o Gachibowli, Hyderabad RR District
10. M. Beemla, S/o Late M. Hanumanth, aged 51 years Occ labourer r/o 2-57, Gachibowli, Hyderabad RR District
11. C.K. Mani, s/o C. Kondra aged 65 years Occ labourer r/o 1-26/1, Gachibowli, Hyderabad RR District
12. G. Praveen, s/o late G. Ashok aged 18 years, Occ labourer r/o 1-48/1, Gachibowli, Hyderabad RR District
13. G. Sathynarayana, s/o late G. Balaiah aged 30 years Occ labourer r/o 1-28, Gachibowli, Hyderabad RR District
14. G. Yadaiah, s/o Maisaiah aged 58 years Occ labourer r/o 1-40/A, Gachibowli, Hyderabad RR District
15. G. Krishna, s/o Mysaiah aged 62 years, Occ labourer r/o Gachibowli, Hyderabad RR District
16. G. Pochaiah, s/o Nagaiah aged 66 years Occ labourer r/o 1-31, Gachibowli, Hyderabad RR District

- 17.D. Janardhan, s/o aged 37 years Occ labourer r/o 1-58, Gachibowli, Hyderabad RR District
- 18.G. Baghiah, s/o Mysaiah aged 62 years Occ labourer r/o Gachibowli, Hyderabad RR District
- 19.Y. Narasimha, s/o Pochaiah aged 61 years Occ labourer r/o 1-78, Gachibowli, Hyderabad RR District
- 20.D. Gandaiah, s/o Babaiah aged 55 years Occ labourer r/o Gachibowli, Hyderabad RR District
- 21.G. Darshan, S/o late G. Shankaraiah aged 28 years, Occ labourer r/o Kondapur, Basheerubanda, Hyderabad RR District
- 22.T. Ramana Murthy, S/o Mysaiah aged 30 years Occ labourer r/o 1-40/1, Gachibowli, Hyderabad RR District
- 23.G. Nagesh, S/o late Narasimha aged 21 years Occ labourer r/o 1-28, Gachibowli, Hyderabad RR District
- 24.D. Sriramulu, S/o late D. Ramaswamy aged 26 years Occ labourer r/o 1-58, Gachibowli, Hyderabad RR District
- 25.K. Goverdhan, S/o late K. Srinivas aged 27 years Occ labourer r/o 1-60/10, Gachibowli, Hyderabad RR District
- 26.G. Babu Rao, S/o late G. Narimha aged 46 years Occ labourer r/o 1-48, Gachibowli, Hyderabad RR District
- 27.D. Laxman, S/o late D. Anantaiah aged 34 years Occ labourer r/o 1-41, Gachibowli, Hyderabad RR District
- 28.K. Sudhakar, S/o late K. Mallaiah aged 37 years Occ labourer r/o 1-82, Gachibowli, Hyderabad RR District
- 29.R. Ashok @ Das, S/o late R. Mallaiah aged 62 years Occ labourer r/o Gachibowli, Hyderabad RR District
- 30.K. Krishna, S/o Durgaiah aged 55 years Occ labourer r/o 1-97, Gachibowli, Hyderabad RR District.
- 31.B. Yadagiri, S/o late Rajaram aged 58 years Occ labourer r/o 1-60/12, Gachibowli, Hyderabad, RR District
- 32.K. Danaiah, S/o Eraiah aged 55 years Occ labourer r/o 1-34, Gachibowli, Hyderabad RR District
- 33.D. Narasimha, s/o Babaiah aged 78 years Occ labourer r/o Gachibowli, Hyderabad RR District
- 34.D. Mysaiah, S/o Laxmaiah aged 73 years Occ labourer r/o 1-57, Gachibowli, Hyderabad RR District
- 35.G. Swamy, S/o Ballingaiah aged 63 years Occ labourer r/o 1-20, Gachibowli, Hyderabad RR District.
- 36.T. Mallesh, S/o T. Muthaiah aged 55 years Occ labourer r/o 1-13, Gachibowli, Hyderabad RR District
- 37.M. Sudhakar, S/o late Pentaiah aged 33 years Occ labourer r/o 1-26, Gachibowli, Hyderabad RR District.
- 38.Mr.M. Sanjay S/o Late M.Laxman, Aged 51 years R/o 1 60/16/2 Situated at Gachibowli Srilingampally Hyderabad RR District.T.S.500032.
- 39.Mr.M.Vittl Nayak S/o Late Manikyam, Aged 59 years R/o 2-33 Indira Nagar Near bank Opp.Gachibowli Srilingampally Hyderabad RR District.T.S.500032.

40. Smt. D. Shanthamma W/o Late D. Gandaiah, Aged 59 years R/o 1-57/17/B Rajeev Nagar Near Pochamma Temple Gachibowli Srilingampally Hyderabad RR District. T.S. 500032.

41. Smt. Thotla Santosha W/o Late Sri Rama Murthy @ Raman Murthy, Aged 55 years Occ. House Wife Gachibowli Old Village Gachibowli Srilingampally Hyderabad RR District. T.S. 500032.

Petitioner Nos. 38, 39, 40, and 41 brought on record as Lrs of the deceased Petitioner Nos. P5, P9, and P20 P22 as per the C-o dt 25/03/2021 in IA No. 1, 2, 3 and 4 of 2021.

...PETITIONERS

AND

1. State of Telangana,, rep. by its Principal Secretary, Revenue Department Secretariat, Hyderabad.
2. District Collector, Ranga Reddy District at Hyderabad., -
3. Commissioner,, Social Welfare Department State of Telangana, Hyderabad.
4. A.P. Social Welfare Residential Educational Institutions, Society, Hyderabad, rep. by its Secretary.
5. Telangana Social Welfare Residential Educational, Institutions Society, Hyderabad, rep. by its Secretary.
6. Andhra Pradesh Education & Welfare Infrastructure, Development Corporation, Hyderabad, rep. by its Managing Director.
7. Telangana Scheduled Castes Coop. Development Corp. Ltd., Hyderabad, rep. by its Vice Chairman and Managing Director
8. Deputy Collector & Tahsildar, Serilingampalli Mandal, Ranga Reddy District
9. Sri G. Janardhan Reddy, s/o G. Yella Reddy, aged major, H. No. 2-31/E2/2, Shivajinagar Colony, Taranagar, Sherilingampally, Hyderabad.
10. The Revenue Divisional Officer, Chevella Now Rajendranagar, R.R. District.

R10 is impleaded as per C.O. dt. 23/3/2022 in I.A. No. 2/2022.

...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 any appropriate Writ, Order or direction preferably a Writ in the nature of Writ of Mandamus, declaring (1) the order in Proceeding. No. LC1/4370/2013 dt. 12.11.2013 issued by the 2nd respondent and also consequential proceedings No. BD/3542/SCSP/2011 dt. 10.12.2013 issued by the 4th respondent and the Letter No. D2/SE/APEWIDCHyd/Comp-Gachibowli/Hyd/2013 dt. 3.3.2014 and also (2) the high handed action of the respondents in interfering with the possession of the petitioners of their respective

patta lands for which the petitioners have paid 50% of the land value as fixed by the Government and also (3) the action of the 7th respondent in not returning their original respective patta certificates, which were pledged while receiving loans, even after clearing the loan amounts as being illegal, arbitrary, contrary to the principles of natural justice and violative of Art. 14 and 300-A of the Constitution of India apart from violative of the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and consequently set aside the above proceedings by directing the 7th respondent to return the patta certificates by directing the official respondents not to interfere with the possession of their respective plots situated in Gachibowli village, Serilingampally Mandal, R.R. District and not to dispossess the petitioners without following due process of law 4. Direct the 2nd Respondent to implement the scheme by providing /returning the pattadar certificates dt 05/03/1982 to the petitioners and direct the Resporcent No.8 for taking appropriate action, as the Tahsildar / Respondent No.3 is the appropriate authority under Sections 6 and 7 of Act, 9 of 2020.

Prayer is amended as per C.O.dt.24/12/2021 in I.A.No.8 of 2021.

I.A. NO: 4 OF 2015(WPMP. NO: 7588 OF 2015)

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 respondents not to interfere with the possession of the land of the petitioners each 242 sq. yards totally admeasuring Ac.368 guntas situated in Gachibowli Village, Serilingampally. Ranga Reddy District without following due process of law, pending disposal of the above writ petition.

IA NO: 7 OF 2021

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 receive additional documents in the above case.

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 permit the petitioners to amend, by incorporating in the prayer portion of the writ affidavit and the accompanying writ petition, as follows:- i.e. after the words Sections 6 and 7 of Act, 9 of 2020, 5. The Resumption Proceedings No.D/1654/86, Dt 25/06/1986 issued by the RDO, Chevella, R.R. District, including panchanama proceedings No.B/536/2013 Dt 16/11/2013 issued by the Respondent No.8, are null and void and 6. Directing Respondent No.2 and RDO, Chevella Division, now Rajendranagar Division, R.R. District to issue final patta certificates in favour of petitioners or their legal heirs, on deposit of the balance 50 percent of the sale consideration, already decided at the time of issuance of patta certificates in the year 1982, in respect of the subject plots of land, by the petitioners or their legal heirs/agents.

IA NO: 9 OF 2021

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 receive additional documents in the above Case.

I.A. NO: 3 OF 2015(WPMP. NO: 7587 OF 2015)

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 stay all further proceedings pursuant to the order in Proceeding. No. LC1/4370/2013 dt. 12.11.2013 issued by the 2nd respondent and also consequential proceedings No. BD/3542/SCSP/2011 dt. 10.12.2013 issued by the 4th respondent and the Letter No. D2/SE/APEWIDC-Hyd/Comp Gachibowli/Hyd/2013 dt. 3.3.2014, pending disposal of the above writ petition and pass such other order or orders as may deem fit and proper in the circumstances of the case. pending disposal of the above writ petition.

I.A. NO: 1 OF 2015(WVMP. NO: 1800 OF 2015)

Between:

Telangana Social Welfare Residential Educational Institutions Society, Hyderabad,
rep. by its Secretary.

...PETITIONERS/RESPONDENTS

AND

1. M. Yadaiah, s/o Balaiah aged 56 years, Occ labourer r/o 1-60, Gachibowli, Hyderabad RR District
2. T. Jaihind, s/o Yellaiah aged 55 years, Occ labourer r/o 1-58, Gachibowli, Hyderabad RR District
3. G. Balraj, s/o Balaiah, aged 57 years Occ labourer r/o Gachibowli, Hyderabad RR District
4. G. Arjun, s/o Late G. Balaiah aged 37 years, Occ labourer r/o 1-28, Gachibowli, Hyderabad RR District
5. M. Laxman, s/o Hernia aged 68 years Occ labourer r/o 1-60/5, Gachibowli, Hyderabad RR District
6. J. Shiva, s/o J. Laxman aged 24 years Occ labourer r/o 1-60/7, Gachibowli, Hyderabad RR District
7. M. Ravi, s/o M. Shankar Late aged 48 years Occ labourer r/o 1-16/2, Gachibowli, Hyderabad RR District
8. M. Ravi Naik, s/o Late M. Shanker aged 27 years Occ labourer r/o 2-57, Gachibowli, Hyderabad RR District
9. M. Manikyam, s/o Hernia aged 65 years Occ labourer r/o Gachibowli, Hyderabad RR District
10. M. Beemla, S/o Late M. Hanumanth, aged 51 years Occ labourer r/o 2-57, Gachibowli, Hyderabad RR District
11. C.K. Mani, s/o C. Kondra aged 65 years Occ labourer r/o 1-26/1, Gachibowli, Hyderabad RR District
12. G. Praveen, s/o late G. Ashok aged 18 years, Occ labourer r/o 1-48/1, Gachibowli, Hyderabad RR District
13. G. Sathynarayana, s/o late G. Balaiah aged 30 years Occ labourer r/o 1-28, Gachibowli, Hyderabad RR District
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16. G. Pochaiah, s/o Nagaiah aged 66 years Occ labourer r/o 1-31, Gachibowli, Hyderabad RR District
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18. G. Baghiah, s/o Mysaiah aged 62 years Occ labourer r/o Gachibowli, Hyderabad RR District

- 19.Y. Narasimha, s/o Pochaiah aged 61 years Occ labourer r/o 1-78, Gachibowli, Hyderabad RR District
- 20.D. Gandaiah, s/o Babaiah aged 55 years Occ labourer r/o Gachibowli, Hyderabad RR District
- 21.G. Darshan, S/o late G. Shankaraiah aged 28 years, Occ labourer r/o Kondapur, Basheerubanda, Hyderabad RR District
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- 30.K. Krishna, S/o Durgaiah aged 55 years Occ labourer r/o 1-97, Gachibowli, Hyderabad RR District.
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- 36.T. Mallesh, S/o T. Muthaiah aged 55 years Occ labourer r/o 1-13, Gachibowli, Hyderabad RR District
- 37.M. Sudhakar, S/o late Pentaiah aged 33 years Occ labourer r/o 1-26, Gachibowli, Hyderabad RR District.
- 38.Mr.M. Sanjay S/o Late M.Laxman, Aged 51 years R/o 1-60/16/2 Situated at Gachibowli Srilingampally Hyderabad RR District.T.S.500032.
- 39.Mr.M.Vittl Nayak S/o Late Manikyam, Aged 59 years R/o 2-33 Indira Nagar Near bank Opp.Gachibowli Srilingampally Hyderabad RR District.T.S.500032.
- 40.Smt.D.Shanthamma W/o Late D. Gandaiah, Aged 59 years R/o 1-57/17/B Rajeev Nagar Near Poggamma Temple Gachibowli Srilingampally Hyderabad RR District.T.S.500032.

41. Smt. Thotla Santosha W/o Late Sri Rama Murthy @ Faman Murthy, Aged 55 years Occ. House Wife Gachibowli Old Village Gachibowli Srilingampally Hyderabad RR District.T.S.500032.

Petitioner Nos.38,39,40, and 41 brought on record as Lrs of the deceased Petitioner Nos. P5, P9,and P20 P22 as per the C-o dt 25/03/2021 in IA No.1,2,3 and 4 of 2021.

... RESPONDENTS/ PETITIONER

42. State of Telangana,, rep. by its Principal Secretary, Revenue Department Secretariat, Hyderabad.
43. District Collector, Ranga Reddy District at Hyderabad.
44. Commissioner,, Social Welfare Department State of Telangana, Hyderabad.
45. A.P. Social Welfare Residential Educational Institutions Society, Hyderabad, rep. by its Secretary.
46. Andhra Pradesh Education & Welfare Infrastructure, Development Corporation, Hyderabad, rep. by its Managing Director.
47. Telangana Scheduled Castes Coop. Development Corp. Ltd., Hyderabad, rep. by its Vice Chairman and Managing Director
48. Deputy Collector & Tahsildar, Serilingampalli Mandal, Ranga Reddy District
49. Sri G. Janardhan Reddy, s/o G. Yella Reddy, aged male, H. No. 2-31/E2/2, Shivajinagar Colony, Taranagar, Sherilingampally, Hyderabad.
50. The Revenue Divisional Officer, Chevella Now Rajendranagar, R.R. District.

R10 is impleaded as per C.O. dt. 23/3/2022 in I.A. No. 2/2022.

...RESPONDENTS/RESPONDENTS

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 vacate the interim order dated 20.03.2015 in WPMP No 1587 of 2015 in WP No.5696 of 2015.

I.A. NO: 2 OF 2015(WVMP. NO: 3370 OF 2015)

Between:

1. District Collector, Ranga Reddy District at Hyderabad.,
2. Telangana Scheduled Castes Coop. Development Corp. Ltd., Hyderabad, rep. by its Vice Chairman and Managing Director

...PETITIONERS/RESPONDENTS

AND

1. M. Yadaiah, s/o Balaiah aged 56 years, Occ labourer No 1-60, Gachibowli, Hyderabad RR District

2. T. Jaihind, s/o Yellaiah aged 55 years, Occ labourer r/o 1-58, Gachibowli, Hyderabad RR District
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4. G. Arjun, s/o Late G. Balaiah aged 37 years, Occ labourer r/o 1-28, Gachibowli, Hyderabad RR District
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 - 39.Mr.M.Vitti Nayak S/o Late Manikyam, Aged 59 years R/o 2-33 Indira Nagar Near bank Opp.Gachibowli Srilingampally Hyderabad RR District.T.S.500032.
 - 40.Smt.D.Shanthamma W/o Late D. Gandaiah, Aged 59 years R/o 1-57/17/B Rajeev Nagar Near Poggamma Temple Gachibowli Srilingampally Hyderabad RR District.T.S.500032.
 - 41.Smt. Thotla Santosha W/o Late Sri Rama Murthy @ Raman Murthy, Aged 55 years Occ. House Wife Gachibowli Old Village Gachibowli Srilingampally Hyderabad RR District.T.S.500032.
- Petitioner Nos.38,39,40, and 41 brought on record as Lrs of the deceased Petitioner Nos. P5, P9,and P20 P22 as per the C-o dt 25/03/2021 in IA No.1,2,3 and 4 of 2021.**

... RESPONDENTS/PETITIONERS

- 42.State of Telangana,, rep. by its Principal Secretary, Revenue Department Secretariat, Hyderabad.
- 43.Commissioner,, Social Welfare Department State of Telangana, Hyderabad.
- 44.A.P. Social Welfare Residential Educational Institutions Society, Hyderabad, rep. by its Secretary.

45. Telangana Social Welfare Residential Educational, Institutions Society, Hyderabad, rep. by its Secretary.
46. Andhra Pradesh Education & Welfare Infrastructure, Development Corporation, Hyderabad, rep. by its Managing Director.
47. Deputy Collector & Tahsildar, Serilingampalli Mandal, Ranga Reddy District
48. Sri G. Janardhan Reddy, s/o G. Yella Reddy, aged major, H. No. 2-31/E2/2, Shivajinagar Colony, Taranagar, Sherilingampally, Hyderabad.

...RESPONDENTS/RESPONDENTS

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 vacate the order dt. 20-3-2015 passed in WPMP.NOs. 7587 & 7588/2015 in WP.NO.5696/2015 in the interest of justice.

Counsel for the Petitioner : SRI S.MANU

Counsel for the Respondent No.1,3,4,6&8 : THE ADVOCATE GENERAL

Counsel for the Respondents No.2&7 : SRI M.SUDHIR

Counsel for the Respondent No.5 : SRI N.BHUPAL REDDY, SC FOR TSWREIS

Counsel for the Respondent No.9 : --

Counsel for the Respondent No.10 : GP FOR REVENUE

The Court made the following: ORDER

HIGH COURT FOR THE STATE OF TELANGANA
HON'BLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

Dated this the 16th day of March 2026

WRIT PETITION No.5696 of 2015

Between:

M. Yadaiah and 40 others

.. Petitioners

AND

The State of Telangana, represented by its Principal Secretary,
Revenue Department, Hyderabad and 9 others

.. Respondents

ORDER:

This writ petition has been filed to declare:

(1) The Order in Proceeding No.LC1/4370/2013, dated 12.11.2013 issued by the 2nd respondent and also consequential proceedings No.BD/3542/SCSP/2011, dated 10.12.2013 issued by the 4th respondent and the letter No.D2, SE/APEWIDC-Hyd/Comp-Gachibowli/Hyd/2013, dated 03.03.2014 and also

(2) The High handed action of the respondents in interfering with the possession of the petitioners of their respective patta lands for which the petitioners have paid 50% of the land value as fixed by the Government and also

(3) The action of the 7th respondent in not returning their original respective patta certificates, which were pledged while receiving loans, even after clearing the loan amounts as being illegal. Consequently, set aside the above proceedings by directing the 7th respondent to return the patta certificates and directing the official respondents not to interfere with the possession of their respective plots situated in Gachibowli Village, Serilingampally Mandal, R.R. District and not to dispossess the petitioners without following due process of law,

(4) Direct the 2nd respondent to implement the scheme by providing /returning the pattadar certificates dt:05.03.1982 to the petitioners and direct the respondent No.8 for taking appropriate action, as the Tahsildar/respondent No.8 is the appropriate authority under Sections 6 & 7 of Act, 9 of 2020,

(5) The Resumption Proceedings No.D/1654/86, dated 25.06.1986 issued by the RDO, Chevella, R.R. District, including panchanama proceedings No.B/536/2013 dated 16.11.2013 issued by the respondent No.8, are null and void.

(6) Directing respondent No.2 & RDO, Chevella Division, now Rajendranagar Division, R.R. District to issue final patta certificates in favour of petitioners or their legal heirs, on deposit of the balance 50% of the sale consideration, already decided at the time of issuance of patta certificates in the year 1982, in respect of the subject plots of land, by the petitioners or their legal heirs/agents, and pass such other order or orders as may deem fit and proper in the circumstances of the case.

2. Heard Sri Manu, learned counsel for the petitioners, Sri M. Sudhir, learned counsel appearing for the respondent Nos.2 and 7, Sri N. Bhupal Reddy, learned Standing Counsel appearing for TSWREI Society/respondent No.5, and learned Advocate General, appearing for respondent Nos.1, 3, 4, 6 and 8. Perused the record.

3. Brief facts of the case are as follows:

(i) All the petitioners belong to SC and ST communities, and they all come under the below poverty line. While so, in accordance with the policy of the erstwhile

Government of Andhra Pradesh, all the petitioners have been issued patta certificates to an extent of vacant land admeasuring 242 sq. yards each in Sy.No.136 of Gachibowli under Kothaguda Gram Panchayat, R.R. District (now in Serilingampally Mandal) on payment of half of the value of the land fixed by the Government and layout was sanctioned by the Revenue Divisional Officer, Chevella Division, R.R. District in the year 1982. The total land allotted to the petitioners by way of issuance of patta certificates comes to A:03.38 Guntas.

(ii) Initially, the said layout was prepared and sanctioned for the construction of a shed to run poultry farms by the petitioners. All the petitioners obtained loans from Canara Bank, Feelkhana Branch, Hyderabad, through the then SC and ST Financial Corporation, for the construction of sheds for running poultry farms, and each petitioner was sanctioned loan of Rs.18,600-00 in the year 1982. The petitioners had executed simple mortgage deeds in favour of the said Bank by pledging their properties, and the loan instalments were be paid from six months after the induction of the first batch of day old chicks, in equal instalments i.e. Rs.310-00 per month with interest.

(iii) All the petitioners constructed sheds, and poultries were established and produced poultry products and the same were taken by the Bank, SC and ST Corporation, and they promised to adjust the cost of the same against the loans etc., Subsequently, as per the guidelines of the 2nd respondent, the petitioners were issued house patta certificates in lieu of the poultry sheds they had surrendered to the Government. Thus, the petitioners hold the house site patta certificates in their favour, which are still subsisting, and the patta lands are in their uninterrupted possession.

(iv) When the petitioners' patta certificates are subsisting and petitioners are in possession of their respective patta lands, some persons/labourers claiming to have been sent by the unofficial respondent for construction of compound wall by evicting the petitioners, came to their property on 24.02.2015 at about 11 a.m. along with some persons who are claiming to be the subordinates of official Respondents. When the petitioners resisted their illegal activity and informed them that we are holding valid patta certificates issued by the Government and that we cannot be dispossessed without following due process of law. Then, the subordinates informed

us that they have proceedings to evict the petitioners or interfere with their possession.

(v) The 2nd respondent issued proceedings dated 12.11.2013 allotting petitioners' land in favour of the 3rd respondent for the construction of Teachers Capacity Building Centre and new APSWR Social complex and it is these proceedings that are being impugned in the instant writ petition as being illegal, arbitrary and unconstitutional.

4. Learned counsel for the petitioners submits that the issuance of the proceedings dated 12.11.2013 came to the petitioners' notice when the respondents tried to interfere with the petitioners' possession over their properties on 24.02.2015. Based on the said proceedings, the 4th respondent issued proceedings dated 10.12.2013 sanctioning a sum of Rs.70 lakhs for the construction of a compound wall for the land and requested the 6th respondent to obtain technical sanction for the construction of the said buildings.

5. Learned counsel for the petitioners further submits that subsequently, the Superintending Engineer of the 6th respondent issued a letter dated 03.03.2014 to the 9th respondent asking him to submit certain documents, and

allotted the work of construction of the compound wall in the petitioners' land. In this matter, the petitioners are sought to be dispossessed of their vacant patta lands for which they have paid half the value of the land as fixed by the Government in 1982 itself.

6. Learned counsel for the petitioners further submits that, taking undue advantage of the petitioners' illiteracy, poverty, and their status as members of oppressed and disadvantaged communities, the respondents acted in a high-handed manner and in complete violation of the principles of natural justice. Despite the the petitioners' pattas being in existence and the Government having already collected 50% of the land value, the respondents have sought to deprive the petitioners of their land, which has been in their continuous possession and occupation since 1982. By virtue of the impugned proceedings of the 2nd respondent and the consequential actions initiated by the other official respondents, the petitioners are being unlawfully sought to be dispossessed of their lands without adherence to the due process of law. Accordingly, prayed to allow the Writ Petition.

7. Learned counsel for the respondents No.2 and 7 filed a counter affidavit by contending that the loan from the

Commercial Banks was initially utilized towards the construction of the shed for 500 birds, and the balance amount was utilized towards working capital, along with the Margin Money and Subsidy given by the Scheduled Castes Society & DRDA. As commercial banks insisted on security from the beneficiary, a decision was taken to issue pattas to the Poultry Complex beneficiaries as to enable them to mortgage this land to obtain a bank loan for working capital and infrastructure development. In other words, in the instant case, pattas were issued only to facilitate the beneficiaries in obtaining bank loans to run the Poultry Complexes sanctioned to them and eke out their livelihood.

8. Learned counsel for the respondents No.2 and 7 further contended that the construction of the units was started on 13.04.1982 with 38 units. The Canara Bank, Feelkhana Branch, is the financing Bank of the Gachibowli Poultry Complex. However, because poultry is a highly skilled business, the Scheduled caste beneficiaries could not run it effectively and all the units became defunct within one or two years. The beneficiaries ran the Poultry Complex for 3 to 4 years, after which it became sick. The Poultry Complex is vacant since, 1986. The beneficiaries could not clear the loan

amounts to the bank or repay the Margin money to the Ranga Reddy District Scheduled Castes Service Cooperative Society Ltd., Ranga Reddy District. No beneficiary repaid the loan taken from the Commercial Banks.

9. Learned counsel for the respondents No.2 and 7 further contended that at this juncture, the District Collector/Chairman, Ranga Reddy District Scheduled Castes Service Cooperative Society Ltd., after having a discussion with the concerned Banker, has decided to reimburse the cost of the shed and 50% interest on the loan amount to the bankers. The Vice Chairman and Managing Director of AP. Scheduled Castes Service Cooperative Finance Corporation Limited, Hyderabad (APSCCFC Ltd., Hyderabad) has released an amount of Rs.102.00 Lakhs to the Ranga Reddy District Scheduled Castes Service Cooperative Society Ltd., for repayment of Bank Loans for 461 sheds in the District vide Proc. No. D2/6847/APSC/85 dated 30.11.1985, subject to the condition that 461 Poultry Sheds along with land should be registered in the name of Andhra Pradesh Scheduled Castes Service Cooperative Finance Corporation Limited, Hyderabad (in short APSCCFC Ltd., Hyderabad). Accordingly, the loan dues repaid by the District Society, Ranga Reddy, on behalf of APSCCFC Ltd., were paid

from the funds released by the Corporation. Ultimately, the said Poultry Sheds have become the property of the District SC Service Cooperative Society Ltd., Ranga Reddy District, as the dues were paid by APSCCFC Ltd.

10. Learned counsel for the respondents No. 2 and 7 further contended that the APSCCFC Ltd., vide Procdgs. No.D2/6847/APSC/85, dated 30.11.1985 issued categorical orders for payment of Bank loan that was due to commercial banks in Ranga Reddy District from the (SCA) Special Central Assistance funds with the following conditions

- a) The Collector/Chairman should utilize the amount within 15 days and send Utilization Certificate in the proforma prescribed.
- b) The 461 Poultry Sheds in Ranga Reddy District should be registered in the name of A.P. Scheduled Castes Cooperative Finance Corporation Limited, Hyderabad (APSCCFC Ltd.) after paying the dues towards the shed cost to banks and clear documents should be maintained including title to the land.
- c) The liabilities towards the shed cost should be properly reconciled and estimated accurately by the Accounts Section of the Ranga Reddy District Scheduled Castes Service Cooperative Society and then only the payments should be made to the Banks.
- d) A reasonable/suitable rent should be collected from the beneficiaries in easy instalments, which is convenient to the beneficiaries.
- e) Proper/Necessary documentation with the Banks should be done while repayment.

11. Learned counsel for the respondents No.2 and 7 further contended that the District Collector's vide Letter No.C/1382/SC/RR/86, dated 21.04.1986, ordered for resumption of land of various Poultry Complexes in Ranga Reddy District to the District Scheduled Castes Service Society, Ranga Reddy District. In his Proceedings No.D/1654/86, dated 25.06.1986, the revenue Divisional officer, Chevella, resumed the lands and re-allotted to the District Society, Ranga Reddy, including the land mentioned in the writ petition at Gachibowli by the petitioners. The District SC Society, Ranga Reddy is in absolute possession of land as per the above orders. Since then, the poultry complex in Gachibowli, has been in the effective possession of respondents 2 and 4.

12. Learned counsel for the respondents No.2 and 7 further contended that as the beneficiaries became willful defaulter and absconded from the site of the Poultry Complex for about 4-5 years, the RR District SC Society repaid bank loan portion of all the (38) beneficiaries amounting to Rs.7,51,298/- through cheque No. 054156, dated 06.07.1987 to Canara Bank, Feelkhana Branch, Hyderabad. The entire property was hypothecated to the R.R. District SC Society by the beneficiaries through mortgage deeds.

13. Learned counsel for the respondents No 2 and 7 further contended that the pattas granted in the year 1982 by the Revenue Divisional Officer, Chevella Division, H.R.District, were only for the purpose of availment of Bank Loan for the construction of Poultry Sheds. The Gachibowli Poultry Complex Sheds (38) were allotted to (38) SC beneficiaries in the year 1982, but the beneficiaries failed to continue their business and became defaulters to the Bank as well as to the SC Society, Ranga Reddy District and the dues of the Banks were paid by this Society, and the said property became the SC Society property. As such, the (38) SC beneficiaries are to resume the Poultry Business at this stage.

14. Learned counsel for the respondents No.2 and 7 further contended that the claim of the petitioners that they are absolute owners of the Poultry Sheds of Poultry Complex, as the Revenue Divisional Officer, Chevella, gave them pattas, is devoid of merit since the entire amounts were paid by the SC Society and became the property holder. The Revenue Divisional Officer, Chevella Division, never consulted this Society on the granting of pattas. The beneficiaries neither occupied the sheds after they became defaulter to the Bank and this Society, nor continued the Poultry business thereafter,

thereby defeating the purpose of the Government's Self Employment provision as such the claim may not be admissible. The ownership of the land of the Poultry Complex is vested with this Society. Accordingly, prayed to dismiss the above Writ Petition.

15. Learned counsel for the respondent No.5 filed counter affidavit by reiterating the contents of the counter affidavit filed by the respondents No.2 and 7, contended that the Principal Secretary, Social Welfare Department is requested the District Collector/Chairman, Ranga Reddy District, to take immediate necessary steps to resume the land of Ac.4.10 guntas of Gachibowli Poultry Complex and re-allot/alienate to the Commissioner of Social Welfare/Secretary, APSWREIS, Hyderabad for construction of Teachers capacity Building Center and a new APSWR School Complex under SC Sub-Plan. The District Collector, Ranga Reddy District, based on the Government Memo No.658/RS.2/2003-1, dated 22.06.2013, has handed over the Gachibowli Poultry Complex land for the construction of the Teachers' Capacity Building Centre and new APSWR School Complex as per the Panchanama No:B/536/2013, dated 16.11.2013 of the Revenue Inspector, Serilingampally Mandal.

16. Learned counsel for the respondent No.5 further contended that on 16.11.2013, the said land was allotted to this 5th respondent through Pannchanani, and this 5th respondent immediately leveled the land for construction of Teachers Capacity Building and a new A.P.Social Welfare Residential School in the said land. This 5th respondent approved the proposed estimated cost of Rs.31.00 Crores and out of this, an administrative sanction was accorded for Rs.70.00 lakhs for the construction of the Compound wall through Procs. Rc.No.BD/3542/SCSE/2011, dated 10.12.2013 and the said work is almost completed except for the erection of the main gate only. The copies of the Patta certificates filed by the Writ petitioners are not related to the said land and they were never engaged in the poultry business after 1986. There are no poultry sheds or houses except for two dilapidated sheds used by the security guards of this respondent Society. Accordingly, prayed to dismiss the Writ Petition.

FINDINGS OF THE COURT:

17. The contention of the petitioners is that they belong to SC and ST communities, and they all come under the below poverty line. While so, in accordance with the policy of the

erstwhile Government of Andhra Pradesh, all the petitioners have been issued patta certificates to an extent of vacant land admeasuring 242 sq.yards each in Sy.No.136 of Gachibowli under Kothaguda Gram Panchayat, R.R. District (now in Serilingampally Mandal) on payment of half of the value of the land fixed by the Government and layout was sanctioned by the Revenue Divisional Officer, Chevella Division, R.R. District in the year 1982. All the petitioners obtained loans from Canara Bank, Feelkhana Branch, Hyderabad, through the then SC and ST Financial Corporation, for the construction of sheds for running poultry farms, and each petitioner was sanctioned a loan of Rs.18,600-00 in the year 1982. The loan instalments should be paid starting from six months after induction of the first batch of day old chicks in equal instalments i.e. Rs.310-00 per month with interest.

18. Subsequently, as per the guidelines of the 2nd respondent, the petitioners had been issued house patta certificates in lieu of the poultry sheds surrendered by them to the Government. Thus, the petitioners have been holding the house site patta certificates to date, and the patta lands are in their uninterrupted possession. While so, the RDO, Chevella, R.R. District, issued resumption proceedings No.D/1654/86,

dated 25.06.1986. By virtue of the impugned proceedings of the 2nd respondent and the consequential actions initiated by the other official respondents, the petitioners are being unlawfully sought to be dispossessed of their lands without adherence to the due process of law.

19. The contention of the respondents is that the pattas granted in the year 1982 by the Revenue Divisional Officer, Chevella Division, R.R. District, were only for the purpose of availment of Bank Loan for the construction of Poultry Sheds. The Gachibowli Poultry Complex Sheds 38) i.e. 32 for Scheduled Caste people and 06 for Scheduled Tribe people were allotted to (38) SC beneficiaries in the year 1982, but the beneficiaries failed to continue their business and became defaulters to the Bank as well as to the SC Society, Ranga Reddy District and the dues of the Banks were paid by this Society, and the said property became the SC Society property. As such, not allowed the (38) SC beneficiaries to resume the Poultry Business at that stage. The Principal Secretary, Social Welfare Department, requested the District Collector/Chairman, Ranga Reddy District, to take immediate necessary steps to resume the land of 10.4.10 guntas of Gachibowli Poultry Complex and re-allot/alienate to the

Commissioner of Social Welfare/Secretary, APSWREIS, Hyderabad, for the construction of Teachers Capacity Building Centre and a new APSWR School Complex under SC Sub-Plan. The District Collector, Ranga Reddy District, based on the Government Memo No.658/RS.2/2003-1, dated 22.06.2013, has handed over the Gachibowli Poultry Complex land for the construction of the Teachers' Capacity Building Centre and new APSWR School Complex as per the Panchanama No:B/536/2013, dated 16.11.2013 of the Revenue Inspector, Serilingampally Mandal.

20. It is not in dispute that all the petitioners have been issued patta certificates to an extent of vacant land admeasuring 242 sq. yards each in Sy.No.136 of Gachibowli under Kothaguda Gram Panchayat, R.R. District (now in Serilingampally Mandal) on payment of half of the value of the land fixed by the Government and layout was sanctioned by the Revenue Divisional Officer, Chevella Division, R.R. District in the year 1982. While issuing orders for allotment of patta lands to the beneficiaries, certain conditions were stipulated vide Lr.No.B/4/336/82, dated 05.03.1982, and below the signature of the Revenue Divisional Officer, Chevella Division, of the said order, it is mentioned in detail that the persons who

pay the total decided amount of the land, then immediately, the final patta certificate will be given to them. The respondents did not bring to the notice of this Court that the petitioners have violated any of the conditions mentioned in the allotment of patta lands.

21. As per the contention of the learned counsel for the petitioners, resumption proceedings were issued without following the due process of law i.e. without issuing any notice to the petitioners and the petitioners have been continuing their possession in their respective houses and are ready to pay half of the balance amount decided while allotting the patta lands and clear all their debts due to the bank for getting the final patta certificate. At the time of admission, after hearing both sides, this Court granted Status Quo on 20.03.2015 and the petitioners have continued to possess over their respective houses to date.

22. The contention of the respondents is that the construction of the units was started on 13.04.1982 with 38 units. The Canara Bank, Feelkhana Branch is the financing Bank of the Gachibowli Poultry Complex. However, because Poultry is a highly skilled business, the Scheduled Caste beneficiaries could not run the units effectively, and all the

units became defunct within one or two years. The beneficiaries ran the Poultry Complex for 3 to 4 years, after which it became sick. The Poultry Complex has been vacant since 1986. The beneficiaries could not clear the loan amounts to the bank or repay the Margin money to the Ranga Reddy District Scheduled Castes Service Cooperative Society Ltd., Ranga Reddy District. No beneficiary repaid the loan taken from the Commercial Banks. At this juncture, the District Collector/ Chairman, Ranga Reddy District Scheduled Castes Service Cooperative Society Ltd., after discussion with the concerned Banker, has decided to reimburse the cost of the shed and 50% interest on the loan amounts to the banker. The Vice Chairman and Managing Director of AP. Scheduled Castes Service Cooperative Finance Corporation Limited, Hyderabad (APSCCFC Ltd., Hyderabad) has released an amount of Rs.102.00 Lakhs to the Ranga Reddy District Scheduled Castes Service Cooperative Society Ltd., for repayment of Bank Loans for 461 sheds in the District vide Proc. No. D2/6847/APSC/85 dated 30.11.1985, subject to the condition that 461 Poultry Sheds along with land should be registered in the name of Andhra Pradesh Scheduled Castes Service Cooperative Finance Corporation Limited, Hyderabad (in short APSCCFC Ltd.,

Hyderabad). Accordingly, the loan dues repaid by the District Society, Ranga Reddy, on behalf of APSCCFC Ltd., were paid from the funds released by the Corporation. This fact is not disputed by the learned counsel for the petitioners.

23. Learned counsel for the petitioners sought a direction to the respondents for the issuance of final pat a certificates as the petitioners are ready to pay half of the balance amount and clear the loan amounts due to the Bank, which were availed by them. At this juncture, the point for consideration is, whether the half of the balance amount to be paid as per the present market value or as per the market value prevailing in the year 1982. To overcome this, the learned counsel for the petitioners has relied upon the order of this Court in W.P.No.18707 of 2011, dated 07.08.2012, wherein at para No.24, it is observed as under:

"24. The writ petition is accordingly allowed, and the order, dated 20.5.2011, passed by the 2nd respondent, insofar as it directed payment of market value, at the prevailing rates, is set aside. The 3rd respondent shall verify the record, and if it is found that the market value as on the date of the order passed by him, i.e. 18.6.1994, is available, he shall communicate the same to the petitioners for deposit of the same. If on the other hand, the record is silent, he shall determine the market value with reference to that date, within a period of six weeks and inform the petitioners. The petitioners shall be entitled to deposit the market value so communicated to them, within a

period of 8 weeks from the date of receiving the information, in writing."

Learned counsel for the petitioners further informed that no appeal has been preferred against the above mentioned order and the said order has attained finality. The said submission is not disputed by the learned counsel for the respondents.

24. For the foregoing reasons, the Order in Proceeding No.LC1/4370/2013, dated 12.11.2013, issued by the 2nd respondent, consequential proceedings No. BD / 3542 / SCSP / 2011, dated 10.12.2013 issued by the 4th respondent, letter No.D2/SE/APEWIDC-Hyd/Comp-Gachibowli/Hyd/2013, dated 03.03.2014 issued by the Superintending Engineer, APEWIDC, Hyderabad, and the Resumption Proceedings No.D/1654/86, dated 25.06.1986 issued by the RDO, Chevella, R.R. District, including panchanama proceedings No.B/536/2013 dated 16.11.2013 issued by the respondent No.8 are set aside. The petitioners are directed to deposit the balance 50% of the sale consideration prevailing the market value as on the date of issuing the orders for allotment of patta lands, dated 05.03.1982, apart from clearing the bank loans in respect of their shares within a period of (02) two months from the date of receipt of the copy of this order. In respect of such payments,

the respondent authorities are directed to issue final pattas to the petitioners.

25. With the above directions, the Writ Petition is disposed of.

There shall be no order as to costs.

As a sequel, miscellaneous applications pending, if any, in this Writ Petition, shall stand closed.

//TRUE COPY//

SD/-MOHD.ISMAIL
DEPUTY REGISTRAR

SECTION OFFICER

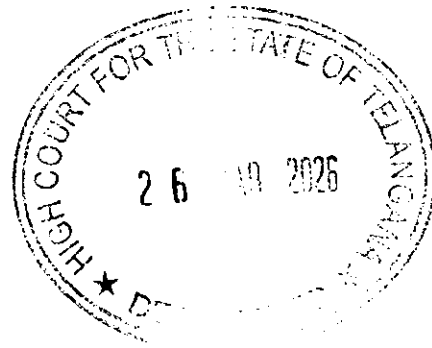
To,

1. The Principal Secretary, Revenue Department Secretariat, Telangana State, Hyderabad.
2. The District Collector, Ranga Reddy District at Hyderabad., -
3. The Commissioner,, Social Welfare Department, State of Telangana, Hyderabad.
4. The Secretary, A.P. Social Welfare Residential Educational Institutions, Society, Hyderabad.
5. The Secretary Telangana Social Welfare Residential Educational, Institutions Society, Hyderabad.
6. The Managing Director Andhra Pradesh Education & Welfare Infrastructure, Development Corporation, Hyderabad.
7. The Vice Chairman and Managing Director, Telangana Scheduled Castes Coop. Development Corp. Ltd., Hyderabad.
8. The Deputy Collector & Tahsildar, Serilingampalli Mandal, Ranga Reddy District
9. The Revenue Divisional Officer, Chevella Now Rajendranagar, R.R. District.
10. One CC to SRI S.MANU, Advocate. [OPUC]
11. Two CCs to THE ADVOCATE GENERAL, High Court for the State of Telangana at Hyderabad. [OUT]
12. One CC to SRI M.SUDHIR, Advocate. [OPUC]
13. One CC to SRI S.BHUPAL REDDY, SC for Telangana Social Welfare Residential Educational, Institutions Society. [OPUC]
14. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
15. Two CD Copies.

BSK

HIGH COURT

DATED:16/03/2026



ORDER

WP.No.5696 of 2015

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

(19) MT
26/3/26