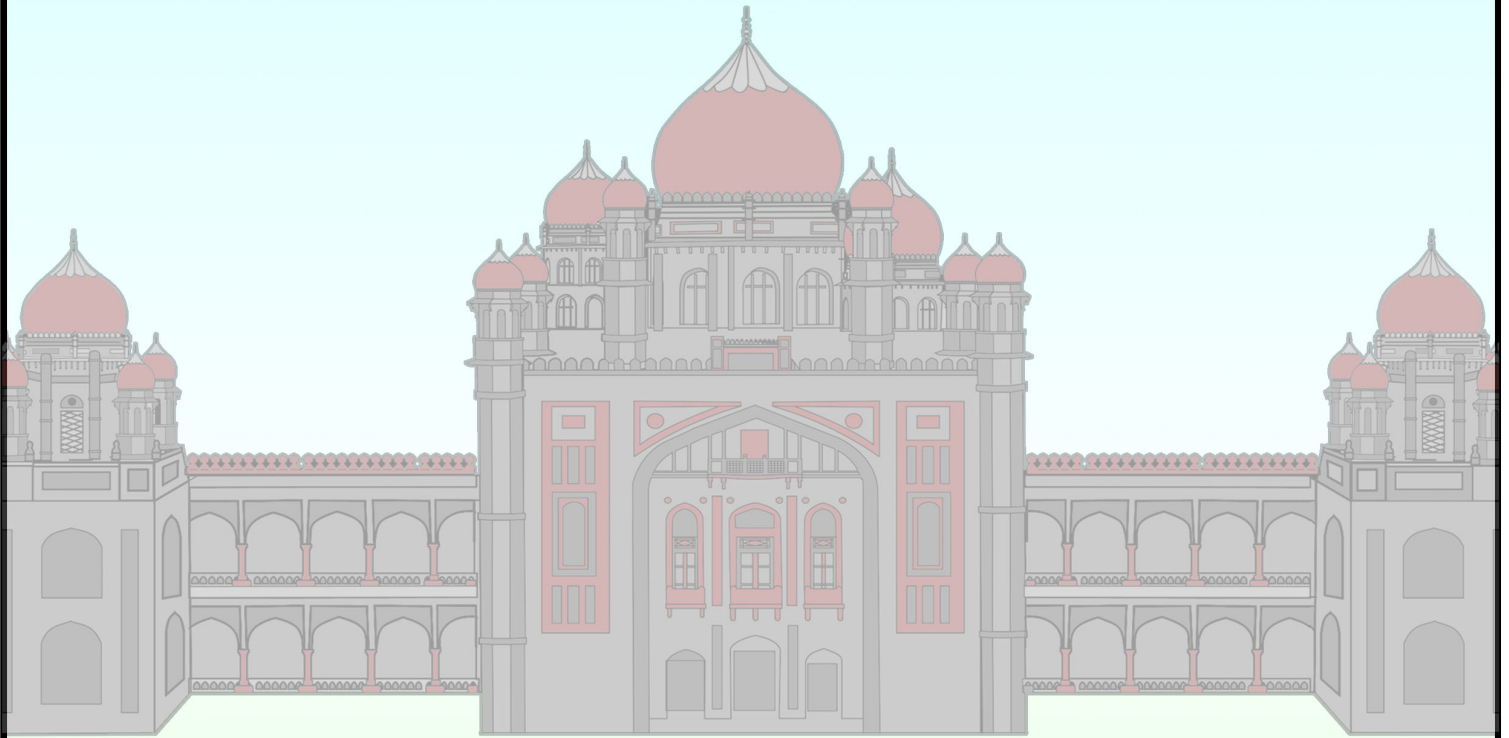


HIGH COURT FOR THE STATE OF TELANGANA



e-Newsletter

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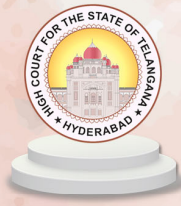
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FOREWORD

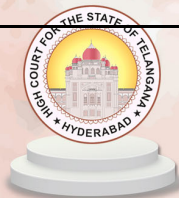
This quarter begun with Honourable the Chief justice inaugurating a Conference on POCSO Act conducted by Judicial Academy, attended by Honourable Judges of this High Court Shameem Akther, T. Vinod kumar, A. Abhisekreddy, G. Radha rani , S. Nanda and Sri Someshkumar, Chief secretary and DGP Sri Mahender Reddy. Honourable the Cheif Justice Ujjal Buyyan made a Keynote address on the occasion and said that there is a need to have good coordination and cooperation between various government departments and Judiciary to enable delivery of Justice to women and children under the POCSO Act.

During this quarter, Modernised Advocate canteen has been inaugurated by Honourable the Chief Justice Ujjal Buyyan attended by Bar Association President and Secretaries.

Principal district Court Building in Combined Palamuru district has been inaugurated by Honourable Dr. Justice Nagarjun and Honourable Sri Justice Sambasivarao Naidu in the presence of Cabinet Minister Sri Niranjanreddy, Zilla Parishad Chairman Sri Loknath Reddy and District collector Sri Yasmin Basha.

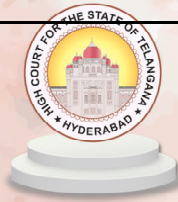
The main high light of the quarter being Telangana High court Judges team have won the Trophy in the national High court Judges Cricket Tournament at Pondicherry.

Honourable Smt. Justice Maturi Girija Priyadarsini



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HON'BLE JUDGES OF THE HIGH COURT



Hon'ble The Chief Justice
Ujjal Bhuyan



Hon'ble Sri Justice
P. Naveen Rao



Hon'ble Dr. Justice
Shameem Akther



Hon'ble Sri Justice
Abhinand Kumar Shavili



Hon'ble Justice
G. Sri Devi



Hon'ble Sri Justice
T. Vinod Kumar



Hon'ble Sri Justice
A. Abhishek Reddy



Hon'ble Sri Justice
K. Lakshman



Hon'ble Sri Justice
B. Vijaysen Reddy



Hon'ble Smt. Justice
Lalitha Kanneganti



Hon'ble Smt. Justice
P. Sree Sudha



Hon'ble Dr. Justice
C. Sumalatha



Hon'ble Dr. Justice
G. Radha Rani



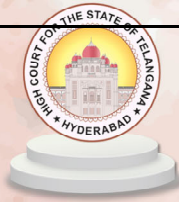
Hon'ble Sri Justice
M. Laxman



Hon'ble Sri Justice
N. Tukaramji



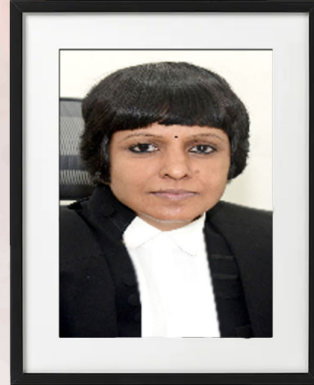
Hon'ble Sri Justice
A. Venkateshwara Reddy



Hon'ble Smt. Justice
P. Madhavi Devi



Hon'ble Sri Justice
K. Surender



Hon'ble Mrs. Justice
Surepalli Nanda



Hon'ble Sri Justice
M. Sudheer Kumar



Hon'ble Smt. Justice
Juvvadi Sridevi



Hon'ble Sri Justice
N.V. Shraavan Kumar



Hon'ble Smt. Justice
G. Anupama Chakravarthy



Hon'ble Smt. Justice
M.G. Priyadarsini



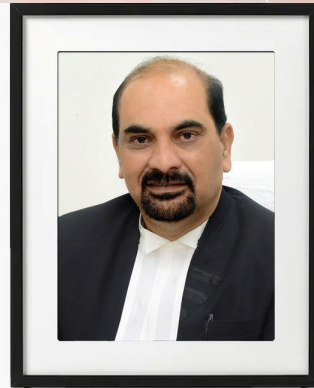
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Hon'ble Sri Justice
Anugu Santhosh Reddy



Hon'ble Dr. Justice
Devaraju Nagarjun



Hon'ble Sri Justice
C. Vijaya Bhaskar Reddy



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Hon'ble Sri Justice
Nagesh Bheemapaka



Hon'ble Sri Justice
Pulla Karthik



Hon'ble Sri Justice
K. Sarath

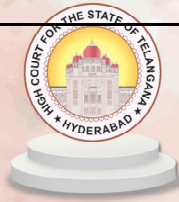


Hon'ble Sri Justice
J. Sreenivas Rao



Hon'ble Sri Justice
N. Rajeshwar Rao





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Events of the High Court

Fare well to Hon'ble Judges of High Court for the State of Telangana



The High Court for the State of Telangana bid farewell to Hon'ble Justice G. Sri Devi, Judge, High Court for the State of Telangana on the eve of her lordship retirement on 9-10-2022, on attaining the age of superannuation.



The High Court for the State of Telangana bid farewell to Hon'ble Dr. Justice Shameem Akther, Judge, High Court for the State of Telangana on the eve of his lordship retirement on 31-12-2022, on attaining the age of superannuation.

Inauguration of Advocates' Canteen



Hon'ble Sri Justice Ujjal Bhuyan , The Chief Justice, High Court for the State of Telangana inaugurated the Advocates Canteen on 08.11.2022.





Some of the important Judgments delivered by the Hon'ble Judges of this High Court

HON'BLE THE CHIEF JUSTICE

Acts/Rules: Constitution of India & Standing Order No.219 (b).

Case Details: M.Suchitra @ Tummalacherla Suchitra Vs Smt. Singi Reddy Laxmi, W/o. Sri S.Malla Reddy in W.A.796 of 2022. ([Click here for full Judgment](#))

Date of Judgment: 08-12-2022.

Facts: This writ appeal is directed against the order dated 29.10.2022 passed by the learned Single Judge in I.A.Nos.4 to 6 of 2022 in Writ Petition No.12701 of 2021 rejecting the stay vacate petitions of the appellants.

We may mention that respondent Nos.1, 2 & 3 as writ petitioners have filed Writ Petition No.12701 of 2021. Initially appellants were not arrayed as parties therein. Subsequently, they got themselves impleaded as respondent Nos.18 to 21.

Respondent Nos.1, 2 & 3 also filed Interlocutory Application No.1 of 2021 in Writ Petition No.12701 of 2021 for a direction to the Sub-Registrar, Hayathnagar, Ranga Reddy District not to entertain and register any sale deed(s) or conveyance deed(s) in favour of prospective purchasers in respect of the land mentioned above. Respondent Nos.1, 2 & 3 had contended that they have filed O.S.No.383 of 2013 before the II Additional District Judge, Ranga Reddy District at L.B.Nagar for partition and separate possession of Schedule-A to Schedule-C properties which are part of the above properties; besides seeking mandatory injunction to remove illegal structures thereon. They had filed interlocutory applications being I.A.Nos.1132 & 1133 of 2013 in O.S.No.383 of 2013 wherein civil court passed an order on 01.04.2013 granting ad-interim injunction as prayed for. Thereafter civil court also passed an order providing for police protection to respondent Nos.1, 2 & 3 when there was an attempt to violate the injunction order.

Grievance made before the learned Single Judge was that notwithstanding such injunction order, several parties notably respondent Nos.5 to 15 were alienating the concerned properties in favour of third parties. Representation was made before the Sub-Registrar not to entertain request for registration of sale deeds etc., for alienation of land since the properties in question is subject matter of a civil suit with pending injunction order.

Respondent Nos.1, 2 & 3 also relied upon Standing Order No.219 dated 10.03.2010 issued by the Commissioner and Inspector General, Registration and Stamps, Government of Telangana which states that if any court order restraining alienation

of property is brought to the notice of the registering authority, the registering authority would be estopped from going ahead with registration.

Appellants after getting themselves impleaded as respondent Nos.8 to 21 filed interlocutory applications being I.A.Nos.4 to 6 of 2022 for vacating the order dated 04.06.2021. Learned Single Judge by the order dated 29.10.2022 declined to vacate the interim order but granted leave to the appellants to file appropriate application before the trial Court for modification of the injunction order. Aggrieved by the aforesaid order, the present appeal has been preferred.

Held: Learned Single Judge in *T.Ganesh v. State of Telangana*, (Writ Petition Nos.26137, 22303, 26207 & 26236 of 2019,) referred to various decisions of this Court where scope of the Standing Order was gone into. Thereafter, learned Single Judge held that the Standing Order has the salutary effect of preventing frustration of a litigating party enjoying injunction order of the court. It also sub-serves a larger public interest by seeking to prevent vexatious litigation flowing out of registration of a document in respect of land which is subject matter of litigation with restraint order. It has been held as follows:

“14. When a property is subject matter of a case pending before competent Court and such Court passed restraint order, no transactions should be permitted to frustrate the litigation and affect the rights of a party to the litigation. It would also prevent vexatious litigation and third party claims. Though registration of a deed of conveyance cannot vest a better title on the vendee than what was vested in the vendor and transactions made during the pendency of a suit would abide the result of the suit, it is unfortunate but true that registered deed of conveyance is made basis for all further claims; transactions; changing physical features etc. Further, it is always open to a party to the litigation to file appropriate application before the Court which granted injunction to seek modification/ vacation of the order/ to permit to undertake conveyance of the property in issue.

15. Registering Authority has no role in a dispute between two parties on a landed property and parties are free to agitate/resolve their disputes in the court of law. Registering Authority cannot even be a proforma party to a civil litigation where no relief is sought against him. No declaration can be sought against him. He is only required to discharge his statutory function vested in him under the Registration Act while processing a document presented before him. He does not assess the validity of claims of parties to the document. His role is limited to verifying compliance of Stamp Act and the Registration Act to the document presented before him. As a statutory authority vested with power to deal with registration of documents presented before him, once he is informed that competent

Court granted injunction concerning the subject property, he should not undertake processing of the document and should leave it to that Court to regulate the proceedings in the dispute. In view thereof, it is no more open to petitioners to contend that as Registering Authority is not a party to the suit; the injunction order cannot be an obstacle to process the document. 16. The Standing Order 219 (b) also sub-serves larger public interest. It seeks to prevent vexatious litigation flowing out of registration of a document and such course cannot be held as amounting to illegal exercise of power. The stark reality is registration of a document concerning immovable property spins off multiple transactions and generates third party claims/litigation. In the present context of long pending litigation in Courts, it is helping the fraudsters to create multiple transactions and spinning off more litigation. All this can be averted if the registering authority exercises his restraint. All this spin off can be averted if registration of the document, concerning a property which is subject matter of a case pending in competent Court and that Court granted injunction, is denied. It may be true that the litigation instituted on the property is vexatious/fraudulent and intend to blackmail/harass a true owner of the property and deprive him from enjoying the property, but this is for the competent Court to assess and to pass appropriate orders. It is no part of the registering authority's job to go into those aspects."

We are in agreement with the views expressed by the learned Single Judge in T.Ganesh (surpa) and approve the same.

As highlighted by the learned Single Judge, Standing Order No.219 (b) sub-serves a greater public interest by preventing vexatious litigation and third party claims during pendency of a civil suit with injunction order in force.

Registering authority as a statutory authority vested with the power to deal with registration of documents presented before him, is bound to comply with orders of the competent court granting injunction in respect of the property for alienation of which sale deed is sought to be registered before him.

In such circumstances and having regard to the above, we do not find any error or infirmity in the view taken by the learned Single Judge to warrant interference.




HON'BLE SRI JUSTICE P. NAVEEN RAO

Acts/Rules: The Andhra Pradesh (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Act, 1956 & Andhra Pradesh (Telangana Area) Abolition of Inams Act.

Case Details: The Executive officer group of Temples Vs The Joint Collector Mahaboobnagar in W.P.No 913 of 2002 & batch ([Click here for full Judgment](#))

Date of Judgment: 21-11-2022.

Facts: In W.P.No.913 of 2002, petitioner assailed the order dated 27.07.2001 in Appeal No.F2III2000 confirming the order dated 22.12.1999 of the original authority rejecting the claim of petitioner to grant Occupancy Right Certificate (ORC) under the Andhra Pradesh (Telangana Area) Abolition of Inams Act, 1955. Before learned single Judge, two decisions of two Division Benches were cited, namely B.Ramender Reddy and others vs. The District Collector, Hyderabad District and others (1993 (2) An.wR 84 (DB)) and S.Veera Reddy and another vs. Chettapalli Chandraiah and others. (1994 SCC Online AP 510) On consideration of these two decisions, learned Judge opined that there is conflict of opinion in these two decisions on the entitlement of purchaser of inam land from Inamdar to apply for ORC under the Act. Learned Judge therefore opined that the conflict should be resolved by a Bench of two Judges or more. The relevant paragraphs of the Order dated 24,03,2014 in W.P.No.913 of 2002 read as under:

“From the brief summary of respective submissions what emanates is that this Court in the decisions reported in Kodithala Keshavulu v. The Government of Andhra Pradesh (1978 (2) An.W.R. page 31) S.Veera Reddy and another v. Chetlapalli Chandraiah and others [1995 (2) ALT 172 (DB)], S.Narasimha and others v. Joint Collector-II, Ranga Reddy and another (2006 (2) ALD 621) and Bhimavarapu Venkaiah and another v. R.D.O., Kothagudem and others [1999 (4) ALD 219] has taken the view that the Purchaser of land from an Inamdar after the abolition of Inams can also maintain an application for grant of ORC but in the decisions reported in B.Ramender Reddy' and others vs. District Collector, Hyderabad and others (1993 (2) An.W.R.84 (DB)), Chama Narsimha Reddy and others v. Joint Collector, Ranga Reddy district at Hyderabad and others [2007(3) ALT 265], this Court has taken a contrary view that once the Inam is abolished, all the pre- existing rights are abolished and a purchaser from the Inamdar cannot maintain an application for grant of O.R.C.

In my opinion, the views expressed by the learned Judges in B.Ramender Reddy's case (supra) and S.Veera Reddy's case (supra) are conflicting with each other on the entitlement of a purchaser from an Inamdar to apply for ORC under the Act, Ramender Reddy's case is decided by their Lordships Mr.

Justice V.Sivaraman Nair and Ms.Justice S.V.Maruthi, S.Veera Reddy's case (supra) was decided by their Lordships Mr.Justice S.S.M.Quadri (as he then was) and Ms.Justice S.V.Maruthi. One of the learned Judges Justice S.V.Maruti, is a party to both these decisions. I am of the opinion that it is desirable that the conflict be resolved by an authoritative pronouncement of a Bench of two Judges or more."

When the matters were placed before a Division Bench, the Division Bench requested Hon'ble The Chief Justice to place the matters before a Full Bench. Accordingly, the Honble Chief Justice constituted the Full Bench. That is how the matters have come up before this Full Bench to resolve the conflict of opinion.

While in Ramender Reddy, the Division Bench held that the Inamdar has no right to alienate a land already vested in the State, in S.Veera Reddy, another Division Bench held that such alienation is valid and enforceable by the subsequent purchaser to secure ORC. This is the conflict of opinion that requires consideration and resolution.

The issue for consideration is whether a purchaser of inam land from Inamdar after 20.07.1955 would acquire right to claim ORC? Incidental issue for consideration would be whether the purchaser of inam land qualifies as a ('successor-in-Interest' to Inamdar?

Held: In the combined State of Andhra Pradesh, the State Legislature brought out separate Inams Abolition Act called "the Andhra Pradesh (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Act, 1956" applicable to Andhra area. The salient feature of this Act is land never vested in the State and on abolition of inams the State envisaged granting Ryotwari Patta to Inamdar. The Act was amended by Act 20 of 1975. By this amendment, Section 10B is added. ***(Sec.10B. conferment of ryotwari patta on transferees of unenfranchised Inams; where, before commencement of the Andhra Pradesh {Andhra Area) Inams (Abolition and conversion into Ryotwari) amendment Act, 1975 an Inamdar, other than an institution, of any unenfranchised inam has sold or otherwise transferred his interest in the inam and held by him, the transferee, who has acquired the said interest in good faith and for, valuable consideration, or his successor in title, who is in possession of such land on the date of such commencement, shall be, deemed to be the Inamdar for the purpose of this Act)***

Section 10B recognizes the alienation made by Inamdar before commencement of 1975 Amendment Act and holds the transferee as deemed to be Inamdar.

The legislative intent is very clear. While in 'The Andhra Pradesh (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Act, 1956' applicable to Andhra area, the legislature leans in favour of recognizing alienee as also an Inamdar in Andhra Area

of then combined State, the same legislature has chosen not to envisage sale of inam land by Inamdar before ORC is granted and does not recognize alienee to succeed to Inamdar in Telangana area governed by the 1955 Act. If the State legislature had intended to extend the same benefit in Telangana area, it could have made similar provision in the 1955 Act.

It is thus safe to assume that in the scheme of the Act, a '**successor-in -Interest**' means only a legal heir and not a purchaser of inam land and such purchaser is not entitled to apply for ORC, The decision of learned single Judge in Kodithala Keshavulu v. The Government of Andhra Pradesh (1978 (2) An.W.R. page 31) is thus overruled.

In the light of the above discussion, we answer the reference as under:

(1) The law laid down in S.Veera Reddy and another v. Chetlapalli Chandraiah and others [1995 (2) ALT 172 (DB)] is not correct having regard to the scheme of the 1955 Act. We agree with the law laid down in B.Ramender Reddy and others vs. The District Collector, Hyderabad District and others (1993 (2) An.wR 84 (DB)) as correct and overrule the decision in S.Veera Reddy.

(2) We hold that purchaser of land from an Inamdar is not a successor-in-interest and cannot apply for ORC.

(3) ' Only a legal heir is a successor-in-interest to Inamdar who can continue to occupy the inam land can apply to get ORC.

(4) The decision in Kodithala Keshavulu (supra) does not lay down the correct law and is overruled. For that matter, all the decisions of learned single Judges and the Division Benches which have taken contrary view stands overruled.

(5) We make it clear that an inamdar, Kabiz-e-Kadam permanent tenant, protected tenant and non-protected tenant can acquire saleable interest only after they obtain ORC and cannot create third party rights and/or interest in any other person before obtaining ORC.

As the issue for consideration is to resolve the conflict of opinion in the two decisions of two Division Benches in B.Ramender Reddy and S.Veera Reddy on the entitlement of a purchaser from an Inamdar to apply for ORC under the 1955 Act after 20.07.1955 and before ORC was granted to Inamdar, the other issues raised in the Writ Petitions and Writ Appeals including scope and application of Section 43 of Transfer of Property Act do not fall for consideration and, therefore, no opinion is expressed. All other issues urged in the Writ Appeals and Writ Petitions are left open to be urged in the Writ Appeals and Writ Petitions as the case may be.

The reference is answered accordingly. The registry is directed to place the Writ Appeals and Writ Petitions before appropriate Bench after obtaining orders from the Honble Chief Justice.



 **HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

Acts/Rules: Article 21-A of the Constitution of India.

Case Details: Md. Rizwan Arfath, Tandur, Telangana and others **Vs** The State of Telangana, rep. by its Principal Secretary, Medical and Health Family Welfare Department, Secretariat Building, Hyderabad and two others **in** W.P.Nos. 39899, 39971, 39972*etc.*, of 2022 ([Click here for full Judgment](#))

Date of Judgment: 16-11-2022.

Facts: For the sake of convenience, the facts in W.P.No.39972 of 2022 are hereunder discussed. W.P.No.39972 of 2022 is filed seeking a Writ of Mandamus to declare the provisions of clause (xvii) (a) of the Rule 4 (Selection Procedure) of G.O.Ms.No.114 dt.05-07-2017 as unconstitutional and further declare in listing the name of the petitioner in the list of not eligible candidates for the admission into the M.B.B.S. course for the academic year 2022-23 as being arbitrary and illegal and consequently delete the name of the petitioner from the list of ineligible candidates for the admission into the M.B.B.S. course for the academic year 2022-23 by duly permitting the petitioner to participate in the NEET counseling for the academic year 2022-23.

It has been contended by the petitioners that all the petitioners have appeared for Under Graduate NEET-2022 and they have secured decent marks in the said entrance examination and the respondents-University have issued admission notification for MBBS/BDS courses, but the respondents-University has issued list of ineligible candidates on 23-10-2022 wherein the names of the petitioners are included. It has been further stated by the respondents-University that the petitioners are not eligible for the admission into MBBS course in terms of G.O.Ms.No.114 dt.05-07-2017 for a period of three years on the ground that the petitioners have been allotted admission under Management Quota i.e. 'B' category for the last academic year 2021-22, and therefore they were barred from permitting MBBS/BDS course in Telangana for three years till 2024 and therefore the petitioners could not get admission this year and that the petitioners have vacated the seats even though they were allotted seats under Management Quota. Consequently, the resultant vacancies are caused because of not joining the petitioners in the said seats and the same were allowed to be filled up by the management by treating them as

management seats and consequently the next meritorious candidates could not get admission in the MBBS/ BDS Course.

Held: A perusal of the counter affidavits makes it clear that the respondents could not produce any original bonds executed by the petitioners and it has been contended by the respondents that the so-called bonds executed by the petitioners were in the custody of the private colleges and the private colleges have informed the respondents-University that the petitioners have paid Rs.3.00 lakhs as a penalty for their not joining the courses in spite of an allotment of seat for the previous academic year and the private managements have handed over the original certificates to the petitioners and as on today, the bonds alleged to be executed by the petitioners in favour of the management are not in existence and when the bonds are not in existence, the question of enforcing the conditions as set out in the so-called bonds would not arise and therefore the question of debarring students for three years also would not arise.

Debarring a student for three long years from pursuing MBBS/BDS course would be too harsh punishment thereby depriving their right guaranteed under Article 21-A of the Constitution of India. All the students who are in the age between 17 to 21 cannot be expected to know the intricacies of legal system and even if they have executed bonds, imposing such a condition of debarring the students from pursuing further studies for three valuable years, that too in the formative years, would be too harsh of punishment.

For all these reasons, this Court is inclined to set aside the list of ineligible candidates issued by the respondents- University dt.23-10-2022 wherein the petitioners were debarred from pursuing MBBS/BDS courses for a period of three years.

Accordingly, the same is set aside with a declaration that the petitioners are entitled to pursue their MBBS/BDS course based upon their ranks secured in the UG-NEET-2022 or in the future examinations, if the students intend to pursue their career in future.



 **HON'BLE SRI JUSTICE T. VINOD KUMAR**

Acts/Rules: Constitution of India & Service Law

Case Details: G.Vidyanand Reddy Vs The State of Telangana rep. by its Special chief Secretary and three others in W.P.17107 of 2021. [\(Click here for full Judgment\)](#)

Date of Judgment: 30-12-2022.

Facts: This Writ Petition is filed questioning the action of the respondents in not considering the case of the petitioner for promotion to the post of Deputy Range Officer, on the ground of reopening of disciplinary case, vide orders of the Conservator of Forests (the 3rd respondent) dt.29.05.2020 and issuing further direction to the Forest Divisional Officer, Adilabad (the 4th respondent), for conducting fresh enquiry and rejecting the petitioner's case for promotion to the post of Deputy Range Officer, vide orders dt.25.03.2021, without finalizing the articles of charge issued on 25.02.2017, as illegal, arbitrary, violative of Articles 14, 16 and 21 of the Constitution of India and also to the law laid down by the Hon'ble Supreme Court in the case of State of Punjab v. Chamanlal Goe and the judgment of the Division Bench of the High Court as reported in the case of The Government of AP v. A. Rajeswara Reddy, with a consequential relief to declare that the petitioner is entitled for notional promotion on par with his juniors to the post of Deputy Range Officer.

Held: The stand of the respondents in the impugned proceeding that the authority has two years' time from the date of reopening the case cannot be countenanced. More so, having regard to the fact that the articles of charge having been issued earlier and the defence statement thereto being submitted, the disciplinary authority is only required to proceed from the stage of conducting enquiry by considering the statement of defence and cannot assume as if he has to start from the scratch i.e., by issuing articles of charge and calling upon the Government servant to file his defence statement once again. Thus, on the matter being remitted back the disciplinary authority would be required to act within the time frame in terms of G.O.Ms.No.679 i.e. a period of three months or six months depending upon the nature of the case either simple or complicated.

In the facts of the present case, since more than a year has elapsed from the date of reopening of the case, vide proceedings dt.03.06.2020, the respondent authorities cannot make use of the pendency of the said proceeding as a ruse for non-consideration of the case of the petitioner for grant of promotion in the panel year during 2021 or any time thereafter.

Further, it is also to be seen that, the respondents are surprisingly silent in their counter-affidavit as to when the petitioner would become eligible for grant of

promotion even though a reference was made in para 5 of the counter to circular Memo dt.01.07.1998, which has been referred to G.O.Ms.No.679 dt.01.11.2008. Thus, the respondents being clear of the timeline prescribed in the circular Memo No.35676 as referred to in G.O.Ms.No.679 for completion of disciplinary proceedings read in thereunder, along with the time frame prescribed under G.O.Ms.No.257 dt 10.06.1999 as commencing from 25.02.2017, the non-consideration of the case of the petitioner for grant of promotion, in the panel year beyond the period prescribed under the respective Government Orders, cannot be held to be valid.

In view of the same, this Court is of the considered view that the respondents are required to consider the case of the petitioner for grant of promotion to the post of Deputy Range Officer, at least on adhoc basis, notwithstanding the pendency of articles of charge in terms of proceedings dt.25.02.2017.



 **HON'BLE SRI JUSTICE A. ABHISHEK REDDY**

Acts/Rules: Telangana Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug-Offenders, Goondas, Immoral Traffic Offenders, Land Grabbers, Spurious Seed Offenders, Insecticide Offenders, Fertiliser Offenders, Food Adulteration Offenders, Fake Document Offenders, Scheduled Commodities Offenders, Forest Offenders, Gaming Offenders, Sexual Offenders, Explosive Substances Offenders, Arms Offenders, Cyber Crime Offenders and White Collar or Financial Offenders Act, 1986.

Case Details: Smt. T. Usha Bhai Vs The State of Telangana, Rep. by its Principal Secretary, General Administration (Spl. (Law & Order) Department, Secretariat, Hyderabad, and others in W P No.34934 of 2022 ([Click here for full Judgment](#))

Date of Judgment: 09-11-2022.

Facts: Smt. T. Usha Bhai, the wife of the detenu viz., T. Raja Singh Lodh @ Raju Singh @ Raja Singh, has filed the present Writ Petition, challenging the Detention Order passed by 2 nd respondent, who by exercising the powers conferred under Section 3 (2) of the Telangana Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug-Offenders, Goondas, Immoral Traffic Offenders, Land Grabbers, Spurious Seed Offenders, Insecticide Offenders, Fertiliser Offenders, Food Adulteration Offenders, Fake Document Offenders, Scheduled Commodities Offenders, Forest Offenders, Gaming Offenders, Sexual Offenders, Explosive Substances Offenders, Arms Offenders, Cyber Crime Offenders and White Collar or Financial Offenders Act, 1986

(in short, 'the Preventive Detention Act'), had issued proceedings vide SB(1) No.156/PD-1/HYD/2022, dated 25.08.2022, and approved by the 1st respondent vide G.O.Rt.No.1651 General Administration (Spl. {Law & Order}) Department, dated 26.08.2022 and confirmed vide G.O.Rt.No.1977 General Administration (Spl. {Law & Order}) Department, dated 19.10.2022, alleging that the detenu has been engaging himself in unlawful acts of causing communal disturbances with his provocative speeches and thereby affecting the public order at large. The ground on which the impugned detention order is passed by the 2nd respondent is that the detenu was mainly involved in three crimes viz., Crime Nos.68 and 261 of 2022 of Mangalhat Police Station and Crime No.71 of 2022 of Shahinayathgunj Police Station.

Held: Admittedly, in this particular case also the Confirmation Order vide G.O.Rt.No.1977 General Administration (Spl. (Law & Order) Department, dated 19.10.2022, has not been supplied to the detenu in the language known to the detenu i.e. Hindi even as on the date of hearing of the main case and on this ground also the impugned detention order is liable to be set aside. In the absence of any record or statistics to show that any untoward incidents have taken place after the 41-A Cr.P.C. notices were served in crime No.68 of 2022 of Mangalhat Police Station and crime No.71 of 2022 of Shahinayathgunj Police Station or that the detenu has violated the bail conditions imposed by the learned Additional Chief Metropolitan Magistrate in crime No.261 of 2022 of Mangalhat Police Station, the reasons given by the detaining authority for passing the impugned detention order are misplaced and cannot be sustained.

It is apt to note the following observations made by the Hon'ble Supreme Court in Banka Sneha Sheela ((2021) 9 SCC 415):

"15. If a person is granted anticipatory bail/bail wrongly, there are well-known remedies in the ordinary law to take care of the situation. The State can always appeal against the bail order granted and/or apply for cancellation of bail. The mere successful obtaining of anticipatory bail/bail orders being the real ground for detaining the detenu, there can be no doubt that the harm, danger or alarm or feeling of insecurity among the general public spoken of in Section 2(a) of the Telangana Preventive of Dangerous Activities Act is make-believe and totally absent in the facts of the present case."

In that view of the matter, the respondent authorities are always at liberty to file an application before the concerned Additional Chief Metropolitan Magistrate seeking cancellation of the bail granted to the detenu, in case the detenu violates any of the conditions of bail.

For the reasons elaborately stated in the preceding paragraphs and also the propositions of law laid down by the Hon'ble Supreme Court in the judgments referred to above, viewed from any angle, the impugned detention order cannot be sustained and is liable to be aside. However, taking into consideration the apprehensions expressed by the learned Advocate General, we would like to impose certain conditions on the detenu.

In the result, the Writ Petition is allowed. The impugned detention order passed by respondent No.2 vide SB (1) No.156/PD-1/HYD/2022, dated 25.08.2022, approved by respondent No.1 vide G.O.Rt.No.1651 General Administration (Spl. Law & Order) Department, dated 26.08.2022 and confirmed by respondent No.1 vide G.O.Rt.No.1977 General Administration (Spl. {Law & Order})Department, dated 19.10.2022, are hereby set aside. The respondents are directed to set the detenu viz., T. Raja Singh Lodh @ Raju Singh @ Raja Singh at liberty forthwith, in case he is no longer required in any other criminal case and subject to the following conditions:

1) Except Mr. Karuna Sagar, learned counsel, the wife and immediate family members (4) of the detenu, no other person shall be present inside or outside the jail when the detenu is released;

2) The detenu shall not participate or hold any celebratory rallies/meetings after his release;

3) The detenu shall not give any interviews to any kind of media houses including the print media;

4) In future, the detenu shall not make any provocative speeches against any religion or post any derogatory or offensive posts on any social media platforms like Facebook, Twitter, Whatsapp, Youtube, etc.

It is made clear that the above conditions are in addition to the conditions already imposed by the learned XIV Additional Chief Metropolitan Magistrate in crime No.261 of 2022, dated 23.08.2022.

It is further made clear that the views and observations made by this Court in the present order are only for the purpose of effective adjudication of the validity of the

impugned detention order only. The criminal cases registered against the detenu and pending adjudication before the Criminal Courts respectively shall be dealt with independently on their own merits without being influenced by the observations made in the present order.



 **HON'BLE SRI JUSTICE K. LAKSHMAN**

Acts/Rules: Section 26(1) of the Competition Act, 2002.

Case Details: GMR Hyderabad International Airport Limited and others Vs Competition Commission of India and another in WRIT PETITION No. 22467 OF 2019 ([Click here for full Judgment](#))

Date of Judgment: 12-10-2022.

Facts: The present writ petition is filed seeking a writ of mandamus to set aside the order dated 03.10.2019 passed by Respondent No.1 under Section 26(1) of the Competition Act, 2002 in Case No. 30 of 2019 and to set aside order dated 04.10.2019 passed by Respondent No.1 directing the parties to appear in Case No. 30 of 2019.

Held: The Petitioners also contended that order dated 03.10.2019 is liable to be set aside as no opportunity of hearing was afforded to the Petitioners. The said contention is liable to be rejected in view of the decision in SAIL ((2010) 10 SCC 744). The Supreme Court has held that at the stage of ordering investigation, the parties are not entitled for a notice and opportunity of hearing. The relevant paragraph is extracted below:

91. The jurisdiction of the Commission, to act under this provision, does not contemplate any adjudicatory function. The Commission is not expected to give notice to the parties i.e. the informant or the affected parties and hear them at length, before forming its opinion. The function is of a very preliminary nature and in fact, in common parlance, it is a departmental function. At that stage, it does not condemn any person and therefore, application of audi alteram partem is not called for. Formation of a prima facie opinion departmentally (the Director General, being appointed by the Central Government to assist the Commission, is one of the wings of the

Commission itself) does not amount to an adjudicatory function but is merely of administrative nature. At best, it can direct the investigation to be conducted and report to be submitted to the Commission itself or close the case in terms of Section 26(2) of the Act, which order itself is appealable before the Tribunal and only after this stage, there is a specific right of notice and hearing available to the aggrieved/affected party. Thus, keeping in mind the nature of the functions required to be performed by the Commission in terms of Section 26(1), we are of the considered view that the right of notice or hearing is not contemplated under the provisions of Section 26(1) of the Act.

The other contentions raised by the Petitioners that CCI/Respondent No. 1 delineated the relevant market, the share of and participation of the parties in the downstream and upstream market erroneously cannot be decided at the preliminary stage when investigation is yet to be completed. The said grounds can be raised by the Petitioners at an appropriate stage if it is found that they are guilty of abusing their dominant position. At this stage when matter is yet to be investigated, this Court cannot consider disputed questions of facts.

This Court has perused the order dated 03.10.2019. The said order is well reasoned given that only a prima facie opinion was formed. Respondent No. 1 made it clear that no final opinion was expressed on the merits of the case. Therefore, according to this Court, the Director General shall complete investigation in accordance with law. Therefore, the present writ petition is liable to be dismissed.



 **HON'BLE SRI JUSTICE B. VIJAYSEN REDDY**

Acts/Rules: G.O.Ms. No.63 Home (Legal) Department dated 09.11.2022 -quashed.

Case Details: Bharatiya Janatha Party Telangana Vs The State of Telangana in WP 39767 of 2022 ([Click here for full Judgment](#))

Date of Judgment: 26-12-2022.

Facts: The election commission announced 03.11.2022 as the date for bye-election for 93 - Munugode Assembly Constituency and counting of votes was scheduled on 06.11.2022 vide its schedule for bye-election No.ECI/PN/73/2022 dated 03.10.2022. During campaign, as the BJP Party was getting overwhelming response from the public of Munugode Assembly Constituency, the ruling TRS Party from the beginning of the election campaign was trying to disrupt campaign of the BJP Party and making

several efforts to thwart campaigning in the constituency, but, in spite of the same, the voters of Munugode were responding positively towards the BJP Party. The BJP Party has substantial base in the Telangana State and the people had been rooting for the BJP party as the next alternative to the present dispensation of the TRS Party. On 26.10.2022 evening, few channels, which publicly support the ruling Government, carried out news that four (4) MLAs of the ruling TRS Party are being tried to be lured and poached by the members of the BJP to join the BJP and discussions regarding the same are happening at a farmhouse in Moinabad. The said news was repeatedly aired in the said few channels giving out details of the alleged operation. Thereafter, in the late hours of 26.10.2022, respondent No.2 along with respondent Nos.3 and 4 - the Commissioner of Police Cyberabad Commissionerate, Gachibowli, Hyderabad and the Assistant Commissioner of Police, Rajendranagar Division, Rajendranagar, Hyderabad respectively arrived at the said farmhouse in Moinabad. Even before the police have arrived at the said farmhouse, certain news channels were already present at the farmhouse and were telecasting live pictures from the farmhouse. Upon respondent No.3 and other officials visiting the farmhouse and on a preliminary search and enquiry at the farmhouse, police apprehended three (3) persons alleged to be workers of the BJP as they were allegedly luring the four (4) TRS MLAs to join its party.

The four (4) TRS MLAs were left scot free and surprisingly escorted by the respondents to the Hon'ble the Chief Minister's residence at Pragathi Bhavan. Thereafter, respondent No.3 stated in a press meet that the three accused have offered four TRS MLAs a Rs.100 crores cash each to join the BJP in the wake of Munugode bye-election. On further enquiry, it was revealed that respondent No.8 - Mr. Pilot Rohith Reddy, who is an MLA from Tandur Assembly Constituency belonging to TRS Party, lodged a complaint on 26.10.2022 at 11.30 a.m. to the Station House Officer, Moinabad alleging that the accused persons have approached him on 26.09.2022 and tried to lure him to join the BJP by resigning from TRS Party and to contest in the next elections from BJP for which he would be offered a huge amount of Rs.100 crores; and consequently FIR No.455 of 2022 was registered with Moinabad Police Station.

The above complaint is politically motivated with ulterior motive to defame and demoralise the BJP in the ensuing by-elections of Munugode Assembly Constituency. The complaint is lodged by respondent No.8 is staged and is firmly believed by the BJP that the complaint has been lodged at the behest of the Hon'ble the Chief Minister Mr. K. Chandra Shekhar Rao, who is also President of the TRS Party, other State Ministers and senior leaders of the TRS Party. The facts and motive behind

lodging the complaint can only be unearthed by conducting an enquiry either by the CBI or by the Special Investigation Team (SIT) or by a sitting Judge of the High Court. The BJP fears that investigation would not be conducted in a fair and unbiased manner by the respondents, who are acting on the instructions of the State Government, and therefore, the investigation may be transferred to a neutral agency which is not under the control of the State Government.

Held: In the opinion of this Court, constitution of SIT under G.O. Ms. No.63 which act under the Government will not alter the situation, more particularly, when an authority none other than the Hon'ble Chief Minister himself has openly circulated the videos and branded the accused and members of the organised crime as conspirators. The entire episode and turn out of events is something unprecedented and incomprehensible and unhesitatingly, this Court holds that the accused have made out a case for transfer of investigation. So far as other points raised by the learned counsel regarding violation of G.O. Ms. No.268 etc., and that investigation by regular police is not permissible under the PC Act are not considered as the pleadings to that effect in the writ affidavits are very vague; in any event, they are not necessary to be dealt with in the light of the above observations.

For the aforesaid reasons, W.P. Nos.40733, 43144 and 43339 of 2022 are allowed. G.O.Ms. No.63 Home (Legal) Department dated 09.11.2022 appointing SIT is quashed. The investigation in FIR.No.455 of 2022 shall be forthwith transferred to the Central Bureau of Investigation, who shall proceed with de novo investigation taking into consideration the report lodged by Mr. Pilot Rohit Reddy in FIR.No.455 of 2022, observation panchanama dated 26.10.2022 and mediator's panchanama dated 27.10.2022. The remaining investigation done by Assistant Commissioner of Police, Rajendranagar Division; the Station House Officer, Moinabad Police Station, and the SIT are also quashed.



 **HON'BLE SMT JUSTICE P. SREE SUDHA**

Acts/Rules: Cancellation of sale deed.

Case Details: Sri Arogya Reddy Vs Show Reddy in A.S. No 320 of 2013([Click here for full Judgment](#))

Date of Judgment: 15-12-2022.

Facts: The plaintiff filed the suit for cancellation of sale deed vide document No.831 of 2007 dated 10.01.2007 executed by defendant No.1 in favour of defendants 2 and 3 in respect of the plaint scheduled property; for delivery of actual physical possession and to send a copy of the decree to the District Registrar, Hyderabad, for necessary action and also for permanent injunction restraining defendants 2 and 3 from alienating, changing or altering the nature of the land. It is stated by the plaintiff that his father Yeruva Chinnappa Reddy is the absolute owner and possessor of plot No.121, admeasuring 400 square yards in Sy.No.1009 situated at Kukatpally, Phase IV, Rajendranagar Taluk, Ranga Reddy District, having purchased the same from A.P. Housing Board under sale deed No.8607 of 1988 dated 23.11.1988. It is stated that his father was aged 95 years and was not in good health for the last couple of years and on 14.12.2006 as the condition of his father was critical, the plaintiff informed the same to his brother and two sisters and that they came down to Warangal to see their ailing father and in the absence of the plaintiff, they had obtained thumb impressions and signatures of their father on some blank papers and stamp papers and created a forged and fabricated GPA in favour of defendant No.1 alleged to have been executed by the father of the plaintiff on 01.12.1989 and got notarized on 03.01.1990 by one Kandula Srinivas Rao, advocate at Hyderabad, with anti-date. The plaintiff got issued a legal notice on 22.12.2006 to his brother and two sisters, who in turn issued a reply notice on 30.12.2006 about the existence of GPA in favour of the 1st defendant and that the plaintiff got issued a rejoinder on 23.01.2007. It is further stated that the plaintiff also filed a suit being O.S.No.481 and 2007 for injunction against his brother and sisters and in the said suit, his brother Rev.Fr.Y.Sebastian Reddy (defendant No.1 therein) filed a memo stating that a registered sale deed was executed in favour of defendants 2 and 3 herein vide document No.831 of 2007. It is stated by the plaintiff that the said document is voidable as his brother had no authority to execute the sale deed and that the same is not valid and binding on the plaintiff. It is further stated that the father of the plaintiff was hale and healthy till 2004 and he used to attend functions and as such there was no necessity for him to execute GPA in the year 1989 and moreover the contents of GPA were in English language and his father was familiar only with Telugu language and not familiar with English language. It is further stated that his brother, two sisters and defendant No.1 entered into a fraudulent transaction and created fabricated GPA and that defendant No.1 sold away the property to defendants 2 and 3, which is not valid and binding on the plaintiff.

Held: The trial Court discussed his cross- examination at length and disbelieved his version. Even D.W.1 admitted in his cross-examination that his father-in- law was hale and healthy till one month prior to his death.

When the father-in-law of D.W.1 was active till August, 2007, what was the necessity for him to execute GPA in favour of D.W.1 in the year 1989. Moreover, there was no partition among the plaintiff, his brother and two sisters during the life time of their father and he died intestate. Initially, the plaintiff filed the suit for injunction and when he came to know that the suit property was sold out by defendant No.1 in favour of defendants 2 and 3 on 10.01.2007, the Counsel appearing for the plaintiff not pressed the suit and filed the present suit for declaration. P.W.1 clearly stated in his evidence that his father used to sign in Telugu language and he never affixed his thumb impression during his life time, but the GPA under Ex.A8 bears the thumb impression of his father. D.W.1 stated that due to old age, the father of the plaintiff could not sign properly and as such he affixed his thumb impression. As per the evidence on record, the father of the plaintiff was aged 95 years as on 14.12.2006 and he might have aged 72 years in the year 1989. Therefore, the contention of D.W.1 that the father of the plaintiff could not sign at that point of time and that he affixed his thumb impression on the GPA, cannot be accepted. As per the memo filed by D.W.1, the sale deed was executed in favour of defendants 2 and 3 just before filing of the suit by the plaintiff. Defendants 2 and 3 did not choose to enter into the witness box to show that they are the bona fide purchasers for a value.

In view of the foregoing reasons, I find that the trial Court, after evaluating the entire material available on record, rightly decreed the suit filed by the plaintiff by declaring that Ex.A7-sale deed dated 10.01.2007 executed by defendant No.1 in favour of defendants 2 and 3, as null and void and not binding on the plaintiff and that there is no infirmity or illegality in the judgment of the trial Court.



 **HON'BLE DR. JUSTICE G. RADHA RANI**

Acts/Rules: Trade Mark Act, 1999.

Case Details: PepsiCo Inc. 700, Hill road, Purchase New York, 10577 U.S.A.. Rep. by its Assistant Secretary cum Trademark Counsel, Paul. A. Lee and another Vs M/s. Magfast Beverages, Rep. by its Proprietor Sri Syed Ghazudin, S/o. late Syed Fakhruddin, aged 46 years, R/o.22-8-555/1 and 2, 2nd Floor, Chatta Bazar, Hyderabad-02; in CCCA 20 & 21 of 2021 & Cross Objections No.32 of 2021. ([Click here for full Judgment](#))

Date of Judgment: 26.10.2022.

Facts: CCCA No.20 of 2021 was filed by PepsiCo against the judgment and decree in O.S No.95 of 2004 passed by the X Additional Chief Judge, City Civil Court, Hyderabad dated 31.12.2019 for dismissing the suit filed by them for infringement of trade mark, copy right, passing off, acts of unfair competition, dilution, damages / rendition of accounts etc.

CCCA No.21 of 2021 was filed by PepsiCo against the finding on issue No.1 in the judgment and decree in O.S. No.19 of 2004 passed by the X Additional Chief Judge, City Civil Court, Hyderabad dated 31.12.2019. The said suit was filed by M/s.MagFast Beverages claiming damages and for permanent injunction. The said suit was also dismissed by the trial court however, observing that the rights conferred by registration of the trademark were subject to the rights of prior user of the trademark and that M/s.Magfast Beverages were prior users of the trademark 'Mountain Dew' and held on issue No.1 in their favour that they were holders of the trademark rights regarding the disputed trademark 'Mountain Dew'.

Cross Objections No.32 of 2021 is filed by M/s.Magfast Beverages for dismissing the suit filed by them in O.S. No.19 of 2004 vide judgment and decree dated 31.12.2019 by the X Additional Chief Judge, City Civil Court, Hyderabad.

Held: As the findings of the Trial Court are inconsistent and dismissed both the suits filed by the plaintiffs as well as the defendants holding that the other party was prior user, which is basically wrong and the Trial Court committed error in considering the unqualified and unconditional registration of the plaintiffs in India and failed to consider the binding nature of the Intellectual Property Appellate Board order under Section 124(4) of the Trade Mark Act, 1999 and failed to appreciate the global popularity of the registered Trade Mark 'Mountain Dew' pertaining to the plaintiffs in various countries and dismissed the suit filed by them seeking permanent injunction by wrong appreciation of law and facts, it is considered fit to set aside the judgment and decree passed by the Trial Court in O.S.No.95 of 2004 and the findings of the Trial Court on issue No.1 in O.S.No.19 of 2004 against the plaintiffs with regard to holding that the defendants were prior users of the trade mark Mountain Dew.

In the result, CCCA Nos.20 and 21 of 2021 are allowed by setting aside the judgment of the trial court in O.S.No.95 of 2004 as well as the findings on issue No.1 in O.S.No.19 of 2004 passed by the X-Additional Chief Judge, City Civil Court, Hyderabad, on 31.12.2019. The Cross Objections O.S.No.32 of 2021 filed by the defendants is dismissed.



 **HON'BLE SRI JUSTICE M. LAXMAN**

Acts/Rules: Revision for Execution of the decree and Limitation for mandatory injunction.

Case Details: Nagubandi Pullaiah and Another Vs Madhuri Srinivas Rao (died) Per his LRs in C R P No.4172 OF 2009 ([Click here for full Judgment](#))

Date of Judgment: 11-10-2022.

Facts: This revision is at the instance of decree holders. Respondent No.1 herein is the judgment debtor. During the pendency of this revision, respondent No.1 died and his legal heirs were brought on record as respondent Nos.2 to 5. The decree holders obtained decree for recovery of possession and mandatory injunction for removal of structures in the E.P. schedule property, apart from granting of damages.

The Executing Court had dismissed the E.P. on the ground that the execution of the decree for mandatory injunction was barred by limitation and consequently, the Execution Petition filed for the recover possession was also dismissed. Hence, the present revision.

Held: A similar question arose before the High Court of Bombay (Aurangabad Bench) in case of Ramdas Shriram Chaudhari Vs. Guna Kondu Dhanger & others (2004 (2) ALL MR 518) wherein it was held at para No.12 as follows:

“The execution of the decree should not be made futile on mere technicalities which does not, however, mean that where a decree is incapable of being executed under any provisions of law it should, in all cases, be executed not-with-standing such bar or prohibition. However, if a decree is granted for two reliefs and the second relief is contingent upon the first, a rational approach is necessitated keeping in view the prolonged factum of litigation resulting in the passing of a decree in favour of a litigant. The policy of law is to give a fair and liberal and not a technical construction enabling the decree holder to reap the fruits of his decree. In short, when the decree is passed in respect of two reliefs for which different period of limitation is prescribed and if the second relief is separable from the first relief, then in that case the bar of limitation for enforcing that part of the decree will come in the way of the decree holder. For example, if the decree is for possession and compensation and if the decree for recovery of the amount of compensation is not enforced within the prescribed time limits, then enforcement of the said part of the decree would be barred by limitation. However, if the second part of the decree is

inseparable from the first part of the decree i.e. if the second relief is inseparable from the first relief as in the present case of recovery of possession coupled with the mandatory injunction to demolish the house then the period of limitation for enforcement of the main relief should be treated for enforcement of such type of decree by giving fair and liberal and not technical construction to enable the decree holder to reap the fruits of his decree.”

The Apex Court in *Sopanrao and Others Verses Syed Mehmood & Others* (MANU/SC/0872/2019) had also an occasion to consider the limitation aspect when two inseparable reliefs are sought in a suit i.e., one relief is shorter duration and the other relief is larger duration and held that the larger limitation prescribed has to be taken into consideration to decide whether the suit is within time or not. The relevant para reads as under:

“9. It was next contended by the learned counsel that the suit was not filed within limitation. This objection is totally untenable. Admittedly, the possession of the land was handed over to the Trust only in the year 1978. The suit was filed in the year 1987. The appellants contend that the limitation for the suit is three years as the suit is one for declaration. We are of the view that this contention has to be rejected. We have culled out the main prayers made in the suit hereinabove which clearly indicate that it is a suit not only for declaration but the plaintiffs also prayed for possession of the suit land. The limitation for filing a suit for possession on the basis of title is 12 years and, therefore, the suit is within limitation. Merely because one of the reliefs sought is of declaration that will not mean that the outer limitation of 12 years is lost. In a suit filed for possession based on title the plaintiff is bound to prove his title and pray for a declaration that he is the owner of the suit land because his suit on the basis of title cannot succeed unless he is held to have some title over the land. However, the main relief is of possession and, therefore, the suit will be governed by Article 65 of the Limitation Act, 1963. This Article deals with a suit for possession of immovable property or any interest therein based on title and the limitation is 12 years from the date when possession of the land becomes adverse to the plaintiff. In the instant case, even if the case of the defendants is taken at the highest, the possession of the defendants became adverse to the plaintiffs only on 19.08.1978 when possession was handed over to the defendants. Therefore, there is no merit in this contention of the appellants”.

A reading of the above ratios laid down by the Mumbai High Court as well as the Apex Court, it is clear that when the reliefs sought are inseparable and have two distinct limitations, the limitation prescribed for larger relief is the foundation to

decide whether the suit or execution petition is within time or not. Merely because one relief sought is barred by limitation, the other larger relief which is still within time cannot be said to be barred by limitation. If such contention is accepted, the main relief granted would be unexecutable even though it is within limitation for the simple reason that the ancillary relief which is granted in aid of main relief is barred by limitation. Therefore, I hold that the Court below has committed error in dismissing the execution petition as barred by limitation. Such finding requires interference.



 **HON'BLE SRI JUSTICE N. TUKARAMJI**

Acts/Rules: Indian Penal Code

Case Details: Yenugu Govind Reddy Vs State of Telangana in CRLA 547 of 2015. ([Click here for full Judgment](#))

Date of Judgment: 30-12-2022.

Facts: This appeal is directed against the judgment of conviction and sentence dated 13.02.2015 in S.C.No.39 of 2010 on the file of the Special Judge for Trial of Cases under SCs & STs (PAO) Act, 1989-cum-VIII Additional District and Sessions Judge, Ranga Reddy District, whereby, the appellant/accused had been convicted for the charges under Sections 302 and 379 of Indian Penal Code (hereinafter 'IPC') and sentenced to undergo imprisonment for life and to pay fine of Rs.100/- for the offence punishable under Section 302 IPC., and also sentenced to undergo imprisonment for three years for the offence punishable under Section 397 IPC.

Held: With regard to recovery of pair of ear studs/M.O.7, the pawn broker/PW-13 deposed that six years ago the accused pledged the pair of ear studs/M.O.7 under receipt Ex.P-2 and police came to his shop along with the accused and seized the ear studs/M.O.7. However, in the cross examination stated that he issued Ex.P-2 receipt to the police when police brought the accused to him and as the accused pledged the articles in the night of 23.08.2008, he could not hand over the receipt, and yet, on the next day i.e. 24.08.2008 when the police brought the accused, the receipt/Ex.P-2 was handed over, as such he could not obtain the counter signature of the accused on the duplicate receipt.

When this evidence is carefully considered, as per the investigating officer/PW-21 the accused was apprehended by the police on 01.09.2008 at 11 a.m. whereas the evidence of Pawn broker/PW-13 is that the accused was brought to him on 24.08.2008. Thus the custody and the issuance of receipt on 24.09.2008 to the police

when they came along with the accused is giving scope to entertain any amount of doubt as these aspects are shaking the foundation of the prosecution case.

Therefore, we are of the considered opinion that the circumstances projected by the prosecution i.e. last seen together, confessional statement and recovery of material objects are as standing open ended, falling short to bear up against the legal scrutiny, resultantly it shall be held that the prosecution had failed to establish the chain of circumstances giving rise to the hypothesis to conclusively hold that it is the accused alone and none else has committed the offence in consequence the benefit of doubt shall be extended and accordingly the accused is entitled for acquittal.



 **HON'BLE SRI JUSTICE A. VENKATESWAR REDDY**

Acts/Rules: Civil Procedure Code, 1908.

Case Details: Vuthuru Harish Kumar Vs Vuthuru Mallikarjun & others in C.R.P.No.1451 of 2022. [\(Click here for full Judgment\)](#)

Date of Judgment: 02.11.2022.

Facts: The application in IA No.114 of 2022 was filed under Order-38 Rule-5 of the Civil Procedure Code, 1908 (for short 'CPC') for attachment before judgment of the suit schedule property as a security towards the suit claim of Rs.45,14,340/-. This application is filed along with original suit in OS No.18 of 2022 for recovery of the said amount. In the original suit, the sole defendant has filed a written statement denying the liability and during enquiry in IA No.114 of 2022, the learned Principal Junior Civil Judge has ordered conditional attachment directing the defendant therein to furnish security equivalent to the suit amount within three days of service of notice, failing which the attachment warrants will be issued for attachment of chit amount to be paid by the respondent.

Held: The trial Court having formed prima facie opinion has only ordered a conditional attachment. At this stage, the trial Court is not expected to look into the details of the correctness or otherwise of the contentions raised by both the parties, the trial Court has simply directed the revision petitioner to furnish security within the time specified therein and it was only directed that that on the failure to do so, order of attachment of the amount lying with the second respondent-Margadarsi Chit Fund Private Limited in respect of chit amount will be issued. As such viewed

from any angle, no serious prejudice would be caused to the defendant, the trial Court having formed prima facie opinion has issued such order only to furnish security In the given facts and circumstances of the case on hand as discussed above, the principles laid in the decision relied by the learned counsel for the revision petitioner/defendant are not applicable for the simple reason that in those cases, a slip-shot orders were passed without issuing any notice to other side. Whereas, in the case on hand, notice was issued to the respondent, counter received, contentions raised on behalf of the defendant were answered and only a conditional attachment was ordered directing the defendant to furnish security for the suit claim within three days, and only in case of his failure to furnish security for the suit claim, directed for issuing warrant of attachment before judgment in respect of the bid amount lying with the second respondent /Margadarshi Chit Fund Private Limited, Mancherial branch.

Accordingly, I do not find any merit in the revision petition and there is no jurisdictional error committed by the trial Court warranting interference by this Court.



 **HON'BLE SRI JUSTICE K. SURENDER**

Acts/Rules: Cr.P.C. & I.P.C.

Case Details: Vikas kumar Vs. The State of Telangana in CRLP 4740 of 2022 [\(Click here for full Judgment\)](#)

Date of Judgment: 15-12-2022.

Facts: This Criminal Petition is filed to quash the proceedings against the petitioner/A2 in PRC No.106 of 2021 dated 29.09.2021 on the file of XXIII Metropolitan Magistrate, Cyberabad at Medchal.

Held: The Hon'ble Supreme Court in the judgment of Kapil Gupta v. State of NCT of Delhi and others [Criminal Appeal No.1217 of 2022, dated 10.08.2022] while dealing with a case of alleged rape and parties intended to put an end to the proceedings, held as follows:

“15. The facts and circumstances as stated hereinabove are peculiar in the present case. Respondent No.2 is a young lady of 23 years. She feels that going through trial in one case, where she is a complainant and in the other

case, wherein she is the Accused would rob the prime of her youth. She feels that if she is made to face the trial rather than getting any relief, she would be faced with agony of undergoing the trial. 16. In both the cases, though the charge sheets have been filed, the charges are yet to be framed and as such, the trial has not yet commenced. It is further to be noted that since the Respondent No.2 herself is not supporting the prosecution case, even if the criminal trial is permitted to go ahead, it will end in nothing else than an acquittal. If the request of the parties is denied, it will be amounting to only adding one more criminal case to the already overburdened criminal courts.”

In the present case, on facts, neither the ingredients of the offence of rape punishable under Section 376(2)(n) of IPC nor the ingredients of section 493 of IPC for cohabiting deceitfully inducing belief of lawful marriage are attracted. It is not the case that there was any deceit played from the inception for which reason, an offence of cheating is not attracted. On facts and also for the reason of parties not being inclined to proceed with the case, no useful purpose would be served to keep the proceedings pending. As observed by the Hon’ble Supreme Court, when the trial is likely to end in acquittal and directing to continue such proceedings would only overburden criminal courts.

For the aforementioned reasons, the proceedings against the petitioner in PRC No.106 of 2021 on the file of XXIII Metropolitan Magistrate, Cyberabad are hereby quashed.



 **HON’BLE MRS. JUSTICE SUREPALLI NANDA**

Acts/Rules: Constitution of India – Service Law.

Case Details: Ravinder Reddy and others Vs. The State of Telangana Rep. by its Chief Secretary and others in W.P. No.35664 OF 2017. ([Click here for full Judgment](#))

Date of Judgment: 09.12.2022.

Facts: This Writ Petition is filed to issue a writ, order or direction more particularly one in the nature of Mandamus to declare the action of the respondents in issuing the Proceedings No. 37/CPR&RE/C2/2015, dated 27.10.2015 in not regularizing the service of the petitioners as regularized the service of the one of the members of the union Md.Masood Ali, Bore-well Mechanic, working on the basis of NMR at both,

Adilabad District through G.O.Rt.No.182, dated 14.03.2017 as illegal, arbitrary, highly discriminatory, unjust, unfair, irrational, unconstitutional, unlawful and against to Articles 12, 14, 16, 19, 21 and 23 of the Constitution of India and against to the principles of natural justice and against to the G.O.Ms.No.212, Finance Department, dated 22.04.1994 and against to a catena of Judgments of the Apex Court and set aside the same, Consequently direct the 1st respondent to regularize the service of the petitioners as regularized the service of the colleague of the Petitioners Sri Md. Masood Ahmed, Bore well Mechanic working on the basis of NMR basis at both Adilabad District through G.O.Rt.No.182, dated 14.03.2017.

Held: The respondents herein cannot deny the relief of regularization to the petitioners as per para 53 of the decision in Umadevi's case, which permits one time exercise of regularization to be done for personal employed on temporary basis/daily wages etc, who have rendered continuous service for more than 10 years. The respondents herein cannot take the services of the petitioners for years together without regularising their services and indulge in such a practice inconsistent with their obligation to function in accordance with the constitution as observed by the Apex Court in Nihal Singh and others v State of Punjab which clearly held that "sanctioned posts do not fall from heaven" and the State has to create them by a conscious choice on the basis of some rational assessment of the need.

Taking into consideration the above referred facts and circumstances and in view of the observations of the Apex Court in various judgments referred to and discussed above, the writ petition is allowed duly setting aside the order impugned in Procs No.37/CPR&RE/C2/2015, dated 27.10.2016 and the respondents while continuously engaging the services of the petitioners herein are henceforth directed to consider the case of the petitioners for regularization of their services in accordance to law, in the posts whose work they are discharging now in the light of the various judgments of the Apex Court referred to and discussed above and pass appropriate orders, within a period of two months from the date of receipt of copy of this order duly communicating the decision to the petitioner. However, there shall be no order as to costs.



 **HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR**

Acts/Rules: RC No.GMC/IHFMS/2022-23, dated 27.06.2022

Case Details: M/s S.S.Consultancy vs The State of Telangana in W.P. 29592 of 2022.
[\(Click here for full Judgment\)](#)

Date of Judgment: 22-11-2022.

Facts: The facts of the case are that the respondent No.2 herein called for tenders for the 'subject work' through tender notice, dated 30.04.2022 and in response thereto the petitioner and respondent No.5 herein and another submitted their bids. After evaluation of the bids, the petitioner herein and respondent No.5 were found to be technically qualified for award of the work and after opening of the price bids, both the petitioner and respondent No.5 were found to have quoted the same price. In view of the same, in terms of tender condition, respondent No.5 herein is declared as successful bidder on the ground that the annual turnover of respondent No.5 is more than the turnover of the petitioner herein. Accordingly, respondent No.4 herein issued the impugned proceedings awarding the subject work to respondent No.5. Aggrieved by such award of work in favour of respondent No.5 herein, the present Writ Petition is filed.

Held: Coming to the contention of learned counsel for respondent No.5 that the respondent No.5 has substantially complied with the requirements of the tender conditions by submitting the experience certificate offline much before processing of the tenders and that the respondents have exercised their discretion and accepted the said deviation from the tender conditions cannot be accepted as the very purpose of imposing the tender conditions as noted above will be defeated and any such lenience shown towards the discretion exercised by respondent Nos.1 to 4 will lead to arbitrary exercise of power. The reliance placed on the various judgments by learned counsel for respondent No.5 as noted above have no application to the facts of the present case especially in the context of the fact that respondent Nos.2 to 4, while considering the qualification of respondent No.5, have made an observation that in case of respondent No.5 being declared as successful bidder, he may be required to comply with the requirements of the tender conditions within a period of three (03) months. Such an observation presupposes that respondent No.5 is not qualified in the technical bid. The said lacunae, as pointed out in the report dated 03.06.2022, is not at all explained by respondent No.5 in its counter affidavit. Even during the course of the arguments, on being pointed out by the Court, there is no explanation coming forth from the respondents in this regard. Thus, it is not a case of substantial compliance as contended by learned counsel for respondent No.5, but the same is a case of submission of a bid by respondent No.5, which is not satisfying the bid conditions and the eligibility criteria as required under the Bid document.

In the light of the above and for the reasons aforementioned the Writ Petition is allowed and the impugned proceedings dated 27.06.2022 is set aside with a further direction to respondent Nos.1 to 4 to take immediate steps for processing the tender submitted by the petitioner for awarding the subject work and complete the same within a period of three (03) weeks from the date of receipt of a copy of this order.



 **HON'BLE SRI JUSTICE N.V. SHRAVAN KUMAR**

Acts/Rules: A.P. Rights in Land & Pattadar Pass Book Act, 1971.

Case Details: K.Man Mohan Reddy Vs The District Collector, Adilabad district & Others in WP 13267 of 2013. [\(Click here for full Judgment\)](#)

Date of Judgment: 11-11-2022.

Facts: It is the case of the petitioner that he is the absolute owner and possessor of the subject land vide patta No.193 issued under the A.P. Rights in Land & Pattadar Pass Book Act, 1971. It is submitted that originally the land in Sy.No.49 to an extent of Acs.13.09 guntas was in occupation of one Mr.Neerati Chinna Ganga, who is pattedar since 1953. The petitioner purchased the subject land through registered sale deed vide document No.94/1971 dated 16.02.1971 from Mr.Neerati Chinna Ganga. Out of total subject land, the petitioner, after obtaining layout approval from the Gram Panchayat vide proceedings dated 11.04.1980, made an extent of Acs.6.00 into 52 plots and sold 50 plots to third parties through the registered sale deeds between 1982 and 2006 wherein the purchasers have constructed the houses with the permission of Gram Panchayat and living therein. During the year 2000 the said layout was incorporated in the Municipal limits of Adilabad town and some purchasers have constructed houses after obtaining permission from the concerned municipal authorities.

While the things stood thus, when the petitioner sought to sell the remaining part of subject land, the Sub-Registrar insisted for No Objection Certificate from the respondents and when the respondents were not granting the same, hence the petitioner filed W.P. No.22746 of 2012 that was disposed of by this Court on 25.07.2012 with a direction to the 1st respondent to pass appropriate orders on the representation to be made by the petitioner with respect to the character of the land and alienability of the land. Pursuant to the said order, the petitioner made a representation dated 22.08.2012 with a request to issue NOC for the land in Sy.No.49 to an extent of Acs.11.09 guntas situated at Battisawargaon village,

Adilabad district. The 1st respondent, after obtaining the reports from the 2nd respondent, Revenue Divisional Officer, passed the impugned Memo dated 01.04.2013 holding that the subject land is Government Land. Aggrieved by the same, the petitioner filed the present writ petition.

On behalf of the respondents, the 2nd respondent, Revenue Divisional Officer, while denying the averments of the petitioner filed counter affidavit, inter alia, stating that the land in Sy.No.49 to an extent of Acs.13.09 guntas was sanctioned Sumul Izafa in the year 1953 in the name of Sri Neerati Chinna Ganga and effected the pahani for the year 1955-56, 1956-57 and 1957-58 and it is under cultivation of Sri Neerati Chinna Ganga. Subsequently, the ownership was changed while granting Kammi and Izafa to an extent of 11.09 guntas in the name of the petitioner due to purchase of the land from the pattedar vide registered document No.94/1971 and the name of the petitioner was recorded in the revenue records in the year 1971- 72 and continued up to 2008-09. It is submitted that as per the revenue records the land in Sy.No.49 is Government land and the said land was assigned to Sri Neerati Chinna Ganga prior to enforcement of G.O. Ms. No.1406, dated 25.07.1958 under Special Laoni Rules. Hence, the application made by the petitioner for issuance NOC for the subject land is rejected as it is a Government land.

Held: That the entire assigned land is to an extent of Acs.13.23 guntas in the name of Sri Neerati Chinna Ganga was assigned prior to issuance of G.O. Ms. No.1406, dated 25.07.1958. Out of which, the petitioner purchased land to an extent of Acs.11.09 guntas through the registered sale deed and out of which he converted the land into plots and sold to third parties through registered sale deeds and the only left over extent of land on spot is Acs.4.00. In this regard, there is no dispute.

Nowhere in the aforementioned letters has been mentioned that the subject land is a Government land and it is not understandable that on what basis the 1st respondent has declared the subject land as a Government land. More so, some discrepancies found from the reports submitted by the 2nd respondent. The authorities are bound by their own records and they cannot pass any orders in deviation of their own records.

Further, admittedly the learned Government Pleader submitted that in view of the discrepancies found from the reports submitted by the subordinate authority of the 1st respondent, this matter may be remanded to the 1st respondent for fresh consideration, at this belated stage, this Court is of the opinion that no useful purpose would serve if the matter is remanded for fresh consideration.

Having regard to the facts and circumstances of the case and the submissions made by the learned counsel on either side, the impugned Memo dated 01.04.2013 is not

sustainable and this writ petition is allowed by setting aside the impugned Memo dated 01.04.2013. The respondents are directed to consider the claim of the petitioner seeking to issue NOC and the same shall be considered in terms of inter se correspondence dated 03.09.2012, 12.09.2012, 11.02.2013 and 02.03.2013 as pointed out hereinabove and pass appropriate orders in accordance with law.



 **HON'BLE SMT. JUSTICE G. ANUPAMA CHAKRAVARTHY**

Acts/Rules: Indian Penal Code

Case Details: Dontula Suresh Vs. The State of Telangana in CRLP 654 of 2014. [\(Click here for full Judgment\)](#)

Date of Judgment: 19-11-2022.

Facts: This appeal is arising out of the judgment dated 06.06.2014 in S.C.No.309 of 2012 on the file of the VIII Additional District and Sessions Judge, Medak. Initially, a crime was registered against accused Nos.1 to 6 in Crime No.74 of 2011 on the file of Kowdipally Police Station, which was committed to the Sessions Court by the Judicial Magistrate of First Class, Narsapur, vide PRC.No.7 of 2012, for the offences punishable under Sections 147, 148, 302, 323 r/w.149 of IPC. The Sessions Court, on conclusion of trial, found accused No.1 alone guilty of the offence punishable under Section 302 of IPC and sentenced him to undergo imprisonment for life and to pay a fine of Rs.5,000/-. Accused Nos.2 to 6 are acquitted of all the charges levelled against them.

Held: On perusal of the judgment of the trial Court, it is evident that the trial Court has disbelieved the evidence of the prosecution witnesses as far as A-2 to A-6 are concerned and came to the conclusion that A-1 alone took the extreme step of causing injuries to the deceased with an axe and A-2 to A-6 are not having the object to eliminate the deceased and concluded that the prosecution has failed to establish that A-1 to A-6 have formed into an unlawful assembly and committed rioting with deadly weapons and only basing on the confession and recovery made by PW-10/the investigating officer and the panchwitness/PW-8, came to the conclusion that A-1 used M.O.9/axe and intentionally caused the death of the deceased. As already stated supra, for the same set of facts, the trial Court convicted A-1 and acquitted A-2 to A-6. There is no evidence before the Court, as to why M.O.1/Bajaj Chetak Scooter is seized as prosecution failed to establish the material objects to connect with that of the crime.

The learned Legal Aid Counsel appearing for the appellant has relied on the judgment of Hon'ble Supreme Court in Mahendra Singh & others v. State of Madhya Pradesh ((2022) 7 SCC 157) , wherein, their Lordships have held at para 12 as under:

“12. It will be apposite to refer to the following observations of this court in its celebrated judgment in Vadivelu Thevar v. State of Madras4 : “11.....Hence, in our opinion, it is a sound and well-established rule of law that the court is concerned with the quality and not with the quantity of the evidence necessary for proving or disproving a fact. Generally speaking, oral testimony in this context may be classified into three categories, namely: (1) Wholly reliable. (2) Wholly unreliable. (3) Neither wholly reliable nor wholly unreliable.

12. In the first category of proof, the court should have no difficulty in coming to its conclusion either way – it may convict or may acquit on the testimony of a single witness, if it is found to be above reproach or suspicion of interestedness, incompetence or subornation. In the second category, the court equally has no difficulty in coming to its conclusion. It is in the third category of cases, that the court has to be circumspect and has to look for corroboration in material particulars by reliable testimony, direct or circumstantial.””

In the case on hand, PW-2 is neither wholly reliable nor wholly unreliable, which comes under the third category referred above and the appellant is entitled for benefit of doubt, as the prosecution has miserably failed to establish the guilt of the appellant.

In the result, the Criminal Appeal is allowed. The appellant/A-1 is found not guilty of the offence punishable under Section 302 of IPC, and accordingly, the conviction and sentence imposed on the appellant vide Judgment dated 06.06.2014 in S.C.No.309 of 2012 on the file of VIII Additional District and Sessions Judge, Medak, is hereby set aside and the appellant is acquitted of the charged offence. The appellant shall be released forthwith, if not required in any other case. The fine amount paid by the appellant, if any, shall be refunded. M.O.1/Chetak Scooter shall be returned to its owner and M.Os.2 to 12 shall be destroyed after appeal time is over.



 **HON'BLE SMT. JUSTICE M.G.PRIYADARSINI**

Acts/Rules: Indian Evidence Act, 1872 & Indian Penal Code.

Case Details: Peddannagari Anjaiah Vs State of A.P in CRLA 1337 of 2011

[\(Click here for full Judgment\)](#)

Date of Judgment: 11-11-2022.

Facts: P.W.1 is the father and P.W.2 is the younger brother of the deceased. A.1 is the husband, A.2 & A.3 are the parents-in-law; A.4 & A.5 are the brother-in-law & co-sister of the deceased. A.6 & A.7 are the brother-in-law and sister of A.1. Marriage of deceased with A.1 took place eleven months prior to the date of incident. At the time of marriage, P.W.1 presented Rs.30,000/- out of agreed amount of Rs.45,000/- towards dowry apart from gold and other articles to A.1 with a promise to clear the remaining amount of Rs.15,000/- within six months. After the marriage, the deceased joined her husband and her parents-in-law, A.1 to A.3 apart from her brother-in-law, A.4, co-sister, A.5, sister of A.1 and her husband, who are A.7 & A.6 respectively. Fifteen days after the marriage, the accused started harassing her on the demand of balance amount of dowry and not allowed her to visit her parents' house and therefore, the matter was placed before the village elders, P.Ws.3 & 4, who advised the accused not to harass the deceased. However, the accused continued to harass the deceased and when the marriage of brother's son of P.W.1 took place, the accused did not allow the deceased to attend the said marriage. On 08.03.2007, at about 23:00 hours, all the deceased pressurized her for bringing the remaining dowry amount and unable to bear the tortures from the accused, the deceased committed suicide by consuming insecticide poison. On 09.03.2007, at 13:30 hours, P.W.1 presented Ex.P.1 complaint with the police, on the basis of which, P.W.10, the then Assistant Sub-Inspector of Police of Nagireddypet Police Station, registered a case in Crime No. 21 of 2007 for the offence under Section 304-B IPC and issued Ex.P. 7, FIR, and forwarded the same to all concerned. He recorded the statements of witnesses, sent requisition to the Tahsildar, P.W.9, who held inquest panchanama under Ex.P.5 in the presence of P.Ws.7 & 8 and recorded their statements and sent the dead body for Post-Mortem Examination. P.W.10 drawn the rough sketch under Ex.P. 6 in the presence of panchas i.e., P.W.8 and L.W.11. P.W.6, the medical officer, conducted autopsy over the dead body of the deceased on 10.03.2007 and sent the viscera for FSL examination. After recording statement of P.W.2, P.W.10 handed over the case to the Sub-Divisional Police Officer of Kamareddy, P.W.11. During the course of investigation, Police arrested the accused, recorded their confessional statements and remanded them to

judicial custody. After completion of investigation and on receipt of FSL report under Ex.P.3, P.W.11 filed the charge sheet against all the accused for the offence under Section 304-B IPC before the concerned magistrate. On committal by the magistrate, necessary charges were framed against all the accused. The accused denied the charges and claimed for trial.

In order to prove the guilt of the accused, the prosecution examined P.Ws.1 to 11 and marked Exs.P.1 to P.7 On behalf of the defense, none of the witnesses were examined and no documents were marked. The trial Court after analyzing the oral and documentary evidence, convicted and sentenced the appellant-A.1 as indicated above while acquitting A.2 to A.7 of the charge under Section 304-B IPC. Hence, by way of present appeal, A.1 is before this Court.

Held: The Apex Court in the case of Raman Kumar v. State of Punjab ((2009) 16 SCC 35) held as under:-

“20. ...A conjoint reading of Section 113B of the Evidence Act and Section 304-B IPC shows that there must be material to show that soon before her death the victim was subjected to cruelty or harassment.The expression “soon before” is very relevant where Section 113B of the Evidence Act and Section 304-B IPC are pressed into service. The prosecution is obliged to show that soon before the occurrence, there was cruelty or harassment and only in that case presumption operates. Evidence in that regard has to be led in by the prosecution. “Soon before” is a relative term and it would depend upon the circumstances of each case and no straitjacket formula can be laid down as to what would constitute a period of soon before the occurrence. ...There must be existence of a proximate and live link between the effect of cruelty based on dowry demand and the death concerned. If the alleged incident of cruelty is remote in time and has become stale enough not to disturb the mental equilibrium of the women concerned, it would be of no consequence.”

As discussed above, the analysis of the entire evidence adduced by the prosecution would show that the prosecution has failed to prove that there was any harassment by the appellant soon before the death of the deceased. Even the alleged incident of not allowing the deceased to attend her relative's marriage is remote in time and that there is no existence of a proximate and live link between the effect of cruelty based on dowry demand and the death concerned. As already observed, the trial Court, on the same set of evidence, has chosen to acquit A.2 to A.7, whose case is no

better than of A.1. This Court agrees with the trial Court that the evidence against A.2 to A.7 is insufficient to convict them and, in the opinion of this Court, it is the same against A.1 as well.

Therefore, this Court is of the view that the prosecution failed to establish the ingredients of Section 304-B IPC against the appellant-A.1 as well in order to convict and sentence him for the said charge and hence, the conviction and sentence recorded by the trial Court against the appellant is liable to be set aside.



 **HON'BLE SRI JUSTICE SAMBASIVARAO NAIDU**

Acts/Rules: Civil Procedure Code.

Case Details: Palepu Bharat Babu Vs. Palleboina Shankar (died) and others in C.R.P. 246 of 2021. ([Click here for full Judgment](#))

Date of Judgment: 01-11-2022.

Facts: The petitioner herein is plaintiff in O.S.No.72 of 2015 on the file of Principal District Judge, Khammam. Being aggrieved by the order of the learned Principal District Judge, Khammam, which herein after will be referred as trial Court in I.A.No.800 of 2017 dated 12-03-2020, where under the request of the petitioner to add one A.Kotireddy, who is shown as 7th respondent in the interlocutory application as defendant No.7 to the main suit was dismissed, the petitioner filed the present revision under Article 227 of Constitution of India.

As could be seen from the material placed before this Court, the petitioner herein filed O.S.No.72 of 2015 for the relief of perpetual injunction and to declare the title of the petitioner as well as for cancellation of sale deed document No.1629 of 2002 which was executed in favour of the 3rd respondent/defendant No.3. In fact the suit was filed initially for the purpose of injunction, but subsequently the suit relief was amended. The petitioner/plaintiff has filed I.A.No.800 of 2017 under Order I Rule 10 (2) r/w Order VI, Rule 17 of Civil Procedure Code with a prayer to add respondent No.7 as 7th defendant to the suit.

Held: The petitioner/plaintiff has claimed that by virtue of the final decree in the above referred suit, his grandfather has got Plot Nos.1 to 5 and Mangapathi Rao was

allotted Plots identified as Plot No.A to Plot No.E. It is his further case in the suit that when he was present and clearing his own plot that he got by virtue of a will deed executed by his grandfather, there was an attempt to interfere into his property covered by Plot No.3. The petitioner has claimed that the defendant No.3 claiming title over an extent of property by virtue of sale deed said to have been executed by son of above referred Mangapathi Rao. The petitioner/plaintiff sought for an injunction against the defendant No.3 apart from declaration of his title. While the said suit was pending before the trial Court, the petitioner filed the petition under Order I Rule 10 r/w Order VI Rule 17 C.P.C. to add one more defendant to the suit. The basis for such request is his knowledge with regard to one more document vide document No.1628 of 2002. According to his own affidavit, he came to know about this document when he visited the suit schedule property with well-wishers and some other persons of the same locality and he came to know about the existence of the above said document which was also executed on the same day on which the document in favour of the defendant No.3 was executed.

The petitioner in his affidavit categorically stated that the property shown/covered by document No.1628 of 2002 in favour of the proposed party is different from the property which he got from his grandfather. Except saying that the properties covered by the above referred two documents are overlapping and there was some mistake with regard to the boundaries etc. The petitioner did not explain as to how the 7th respondent is necessary party to the suit. It is not the case of petitioner that the proposed petitioner made an attempt to interfere with his possession nor it is his case that the proposed defendant denied the title of the petitioner over Plot Nos.1, 3 and 4 which is shown as suit schedule property. Nowhere in the petition, the petitioner has submitted as to how the proposed party is a proper and necessary party for effective and complete adjudication of his right in the suit. According to Order I Rule 10 C.P.C., the Court, on its own or on the request of any party to the suit can implead any person to a pending suit when it came to the conclusion that the proposed party is a proper and necessary party for effective and complete adjudication of the suit. The petitioner did not state any reason as to why he wanted the other person i.e., respondent No.7 to be impleaded as defendant No.7 to the main suit.

As already stated the suit was filed by the petitioner for injunction, declaration of his title on three different extents in Plot Nos.1, 3 and 4. It is not the case of petitioner that the proposed party made any attempt to interfere with his possession. He has simply claimed that on 13-04-2017, when he visited the suit schedule property, he

came to know about the existence of another document which was also executed on the same day on which defendant No.3 obtained a document in his favour, thereby, he wanted an unconcerned person be impleaded as a party to the pending suit. Therefore, the trial Court having considered the pleadings, arguments came to a correct conclusion and dismissed the application filed by the petitioner. Therefore, there are no grounds to interfere with the order of the trial Court while exercising jurisdiction under Article 227 of the Indian Constitution. The revision is liable to be dismissed.



 **HON'BLE SRI JUSTICE A. SANTHOSH REDDY**

Acts/Rules: Code of Civil Procedure

Case Details: Rajakamal Electronics Private Limited and others. **Vs** M/s.Sony India Pvt.Ltd. in CIVIL REVISION PETITION No.2115 of 2019 ([Click here for full Judgment](#))

Date of Judgment: 27.10.2022.

Facts: The plaintiff filed suit against the defendants for recovery of Rs.6,96,379/- with future interest thereon and costs based on the goods supplied by it to the defendants. The defendants filed written statement and the issues were settled and the case was coming-up for cross-examination of PW.1. At that stage, the defendants filed counter-claim under Order VIII Rule 6-A read with Section 151 of the Code of Civil Procedure (C.P.C.) seeking the reliefs as under: "The counter claimant therefore prays that this Hon'ble Court may be pleased to pass a Judgment and Decree in favour of Counter claimants against the defendant/plaintiffs: (a) To set-off a sum of Rs.5,00,000/- (Rupees Five Lakhs only) along with interest accrued herein from the claim of the plaintiff. (b) To declare the Counter claim/damages of Rs.10,00,000/- (Rupees Ten Lakhs only) filed by the counter claimants against the plaintiff for Rs.10,00,000/-. (c) To award costs of the counter claim in the present suit; (d) And pass such other relief or reliefs as this Hon'ble Court may deem fit and proper in the circumstances of the case".

In the affidavit filed in support of the application, it is averred that defendant No.1-company was the first multi-brand electronic store and it ran successfully for some time and subsequently, its business was deteriorated and decided to withdraw from the business and decided to liquidating in stocks in hand, capital assets and clearing their outstanding debts. The defendants in their written statement reserved their right to file counter-claim. Hence, they sought permission to file the proposed counter claim.

The plaintiff filed counter affidavit reiterating its case pleaded in the plaint and has taken a specific plea that the amount being claimed by way of counter-claim relates to the transactions that have taken place prior to 2012. Therefore, counter claim is barred by time. Hence, prayed to dismiss the application.

The trial Court, after hearing both sides, dismissed the application filed by the defendants seeking permission to file the counter-claim by observing that the counter claim is barred by limitation.

Held: The purpose of Order VIII Rule 6-A of C.P.C. is to avoid multiplicity of the proceedings by driving the parties to file separate suits and see that the dispute between the parties is decided finally. Under Article 113 of the Limitation Act, 1963, the period of limitation is three years from the date of the right to sue accrues, when the period of limitation is not provided elsewhere in the schedule. The counter claim has to be filed within three years from the date of accrual of right to sue. Since the defendants intends to claim amounts from the plaintiff relating to the transactions, which are relating to the period from 2006 to 2011 and the proposed counter claim is filed on 24.04.2019, which is certainly barred by limitation.

The law that has now been settled in Ashok Kumar Kalra's case (Ashok Kumar Kalra v. Wing CDR. Surendra Agnihotri - (2020) 2 Supreme Court Cases 394) that only in exceptional circumstances, a counter claim may be permitted to be filed after a written statement till the stage of commencement of recording of the evidence on behalf of the plaintiff. Therefore, in the instant case, the defendants have filed counter claim intending to claim the amounts allegedly due by the plaintiff during the period from 2006 to 2011 and they were well aware about their entitlement of the amounts claimed by them in respective years itself. In the said circumstances, as stated supra, as per Article 113 of the Act, 1963, the proposed counter claim is clearly barred by limitation.

For the foregoing reasons, I am of the firm view that there is no illegality or irregularity in the order passed by the trial Court refusing to permit the defendants to file counter claim warranting interference by this Court under Article 227 of the Constitution of India.



 **HON'BLE SRI JUSTICE J. SREENIVAS RAO**

Acts/Rules: Partition & Legal Services Authority Act, 1987

Case Details: Gaddagunti Rajapathi, s/o. late Laxmaiah, Vs State of Telangana, Rep.by its Principal Secretary, Law and Justice, Secretariat, Hyderabad and others in W P NO.37519 OF 2022. ([Click here for full Judgment](#))

Date of Judgment: 29-12-2022.

Facts: The brief facts of the case are that the fathers of petitioners 1 and 2 along with other family members have filed suit in O.S.No.622 of 1981 on the file of the Court of Vth Additional Judge, City Civil Court, Hyderabad for seeking partition of the suit schedule properties admeasuring to an extent of Acs.7.13 guntas in Survey Nos.44, 47, 48, 50, 51, 52, 54 to 60 situated at Saidabad village, Hyderabad, and the same was decreed on 19.04.1983 allocated the shares between the parties.

It is averred that the parties and their legal heirs in O.S.No.622 of 1981 had converted the land admeasuring to an extent of Ac.1.00 in survey Nos.48, 50, 54 to 60 situated at Saidabad Revenue village, Hyderabad into plots. For the said purpose, Kothapeta Co-operative Housing Society Limited, bearing Regd.No.PB:830, Sankeshwar Bazar, Hyderabad was formed and the said society has allotted the plots in favour of the society members/purchasers and executed registered sale deeds. Thereafter, the plot owners formed "Sri Sai Ram Colony Welfare Association" vide Registration No.468 of 2000.

It is also stated that while making the layout in the name of Kothapet Co-operative Housing Society Limited, the Plot No.112/A admeasuring to an extent of 133.77 sq. yards is earmarked for "Sri Sai Ram Colony Welfare Association (Community Hall), thereafter the said Welfare Association has constructed compound wall and a room in the said plot and doing their daily activities. While the matter stood thus, the respondent No.4 executed a gift settlement deed in the name of his daughter; i.e., respondent No.5 herein vide document No.6689/2021 dated 24.09.2021 styling himself as the owner of the house bearing No.16-2-751/93/B/1/A/1, as if the same is constructed in Plot No.112/A, which is earmarked for community hall. The said house number was obtained by the respondent No.4 by playing fraud with the municipal authorities; moreover, in the gift settlement deed it is mentioned that the respondent No.4 acquired the said property by virtue of the award passed in S.A.No.93 of 2016, dated 25.10.2019. In fact, the said property is entirely different than the suit schedule property, as the respondents 3 to 7 colluded with each other and created documents to grab the plot No.112/A, which is earmarked for the community hall.

The petitioner further stated that the 3rd respondent has filed O.S.No.1865 of 2012 on the file of the Court of XIX Junior Civil Judge, City Civil Court, Hyderabad seeking perpetual injunction against respondents 4, 6 and 7 on the ground that he is the owner and possessor of property bearing No.16-2-751/93/A/2/1, admeasuring 120 sq. yards in survey No.47 situated at Saidabad, Hyderabad, and the same was decreed on 21.05.2013. Aggrieved by the same the defendants filed A.S.No.383 of 2013 on the file of the Court of XXIV Additional Chief Judge, City Civil Court, Hyderabad. It appears that the same was allowed on 30.06.2015. Aggrieved there by the same, third respondent filed S.A.No.93 of 2016 before this Court. S.A.No.93 of 2016 ended in compromise by the parties by filing joint compromise memo and the matter has been settled before the Lok Adalat, vide Award dated 25.10.2019.

Respondents 4 and 5 have filed counter contending that the petitioners filed the present writ petition suppressing several facts including filing of O.S.No.287 of 2022 on the file of the Court of XVII Additional Senior Civil Judge, City Civil Court, Hyderabad. In the said suit the petitioners sought declaration declaring the gift settlement deed vide document No.6689/2021, dated 24.09.2021 as null and void, not binding on them and recovery of possession, of suit schedule land admeasuring 133.77 sq.yards bearing Plot No.112/A in Sy.No.48, 49, 59 admeasuring 133.77 Sq.yds situated at Sariramngar Colony, Kothapet, Cooperative Society Colony, Saidabad, Hyderabad.

Respondent No.4 further averred that he acquired the subject matter of the property as an outcome of partition vide O.S.No.622 of 1981 and when dispute arose between him and the respondents 6 to 8 herein himself along with the respondents 6 to 8 compromised during the pendency of SA.No.93 of 2016 and the matter was referred to the High Court Legal Services Committee, which has passed an award on 25.10.2019 in terms of compromise effected between the parties. He further stated that house bearing No.16-2-751/93/B-1/A was transferred to respondent No.5 who is his daughter, through registered gift settlement deed vide document No.6689/2021, dated 24.09.2021. Thereafter, his daughter obtained construction permission from the GHMC vide permit No.139997/2019, dated 17.2.2022 and started construction. Then the petitioners demanded to pay an amount of 2,00,000/- claiming that as they are running welfare committee for which they have to pay the demanded amount and when refused to meet the said demand, they filed the present writ petition .

Held: Section 19 of Legal Services Authority Act, 1987 deals with organization of Lok Adalat. Sub-Section 5 is relevant to this case. It reads as under :

Section 9 (5) : "A Lok Adalat shall have jurisdiction to determine and to arrive at compromise or settlement between the parties to a dispute in

respect of (i) any case pending before ; or (ii) any matter which is falling within the jurisdiction and is not brought before, any court for which the Lok Adalat is organized: Provided that the Lok Adalat shall have no jurisdiction in respect of any case or matter relating to an offence not compoundable under any law.”

From a bare reading of this provision makes it clear a Lok Adalat shall have jurisdiction to determine and to arrive at compromise or settlement between the parties to a dispute in respect of a pending case. According to Section 19 of the Act, the Lok Adalat can pass award bounded by the reliefs claimed by the parties to the lis and that the Lok Adalat is not having power or jurisdiction to pass award beyond the scope of the relief/s claimed in the suit. The Lok Adalat has to confine the award to the relief/s as sought by the parties to the lis.

As per the settled principles of law, no court or tribunal can grant relief to a party more than what is prayed for. In the instant case, the third respondent filed simple suit in OS.No.1865 of 2012 on the file of XIX Junior Civil Judge, City Civil Court, Hyderabad seeking perpetual injunction restraining the defendants therein from interfering in respect of the house admeasuring 120 sq.yards bearing No. 16-2-751/93/A/2/1 in survey No.47 only. Whereas the parties in the said suit filed joint compromise memo during the pendency of the SA.No.93 of 2016 in respect of other than the property mentioned in the suit schedule property and basing on the joint compromise memo, the Lok Adalat passed the Award determining the rights over the properties of the parties more than the extent covered in the suit schedule property.

In view of the law laid down by this Court and the Apex Court, this Court finds that the Lok Adalat passed the award beyond the scope of the relief claimed in the suit. However, in view of the peculiar facts and circumstances of the case, we are not inclined to set aside the award passed by the Lok Adalat on this ground. It is made clear that as the petitioners are not parties in the Lok Adalat award, the same is not binding on them and is binding between the parties only.

The petitioners have raised several disputed questions of facts which cannot be gone into and adjudicated in the present writ petition. However, the petitioners are entitled to raise all the pleas which are raised in the present writ petition including the applicability of the Lok Adalat Award in respect of their property in the pending O.S.No.287 of 2022. The trial court shall consider all pleas advanced by the parties.



 **HON'BLE SRI JUSTICE NAMAVARAPU RAJESWAR RAO**

Acts/Rules: G.O Rt.No.498 dt.18.07.2018

Case Details: Smrt. Varsha & others Vs The State of Telangana in W.P. No 15913 of 2019.[\(Click here for full Judgment\)](#)

Date of Judgment: 16-12-2022.

Facts: The present Writ Petition is filed for the following relief:

“... to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus by declaring the entire action of the respondents in not releasing periodical increments and other allowances to the petitioners like similarly situated persons, on the sole ground that, the petitioners herein are not obtained any favorable orders from this Hon'ble Court like other similarly situated persons is as highly illegal, arbitrary, unjust, improper, discriminatory, violative of all principles of natural justice, contrary to law laid down by this Hon'ble Court including Hon'ble Apex Court in the same subject matter, and consequently to direct the respondents to forthwith grant annual grade increments to the petitioners herein w.e.f. the day on which they are extended minimum time scale of pay with arrears like other similarly situated persons, in view of various judicial pronouncements in the subject matter including latest judgment 2017 (6) ALD 638 (DB) and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Held: It is brought to the notice of this Court that the Hon'ble Apex Court in Smt. Prem Devi and another Vs. Delhi Administration and Ors. (1989(2) UJ SC 146) for the proportion that once the case of one employee is decided by the competent Court, the other identically placed employees should have been given the same benefit without any further litigation to avoid wastage of precious time of the Courts as well as to avoid hardship to the petty employees.

Learned counsel for the petitioner has placed before this Court the copies of G.O.Rt.No.498 dt.18.07.2018 and proceedings No.A1/1024/2003-2018 dt.04.04.2019, wherein the Government has implemented the directions of the Tribunal as well as High Court and granted Annual Grade Increments and Earned Leaves along with arrears from the date of allowing minimum time scale to the time scale employees, like the writ petitioners.

At this juncture, it is necessary to extract and discuss the following clause in the G.O Rt.No.498 dt.18.07.2018:

“3. Government have examined the matter carefully and decided to implement the orders of Hon’ble APAT 2nd read above, and accordingly hereby order to release Annual Grade Increments along with arrears to the following (1) Non Technical NMRs working in PR circle Khammam, subject to final outcome of the Court case, and also that these orders will not become a precedent to any other case in future:-....”

It is very unfortunate that the 1st respondent went to state in the above clause ‘...that these orders will not become a precedent to any other case in future...’ The 1st respondent cannot decide as to what would become a precedent and does not have discretion whether to grant the relief or not as per their whims and wishes. Applying the ratio in Prem Devi (supra) to the present case, once similarly situated persons are extended certain benefits, such benefits, without any doubt, shall be extended to the other similarly situated persons as well and the respondents cannot be allowed to discriminate among the employees and such discrimination is untenable.

Also, having regard to the fact that in similar circumstances, this Court in W.P No.10120 of 2021 dated 29.11.2022 had already directed the respondents therein to extend the benefit of G.O.Rt.No.468 dt.23.07.2015 to the employees drawing minimum time scale pay such as the petitioners herein, this Court deems it fit and proper to direct the respondents herein to extend the said benefits to the petitioners herein also.





Sanctioned strength, working strength, and vacancy position of Hon'ble Judges of the High Court for the State of Telangana as on 31-12-2022

Hon'ble Judges	Sanctioned Strength	Total Number of Judicial Officers Working	Total Number of Vacancies
Permanent	32	30	2
Additional	10	2	8
Total	42	32	10

- One permanent Hon'ble Judge of this High Court is working as Chief Justice of Manipur High Court.
- One permanent Hon'ble Judge of this High Court is working as Judge of High Court of Punjab and Haryana.
- One permanent Hon'ble Judge of this High Court is working as Acting Chief Justice of Tripura High Court.
- One permanent Hon'ble Judge of High Court of A.P. is working in this High Court.



Disclaimer: Above statements are compiled on the basis of figures & Information received from the respective Registry.



Statement of work done in the High Court as on 31-12-2022

NATURE OF CASES	PENDING AT THE BEGINNING OF THE MONTH I.E., AS ON 01.10.2022	INSTITUTIONS FROM 01.10.2022 TO 3.12.2022	DISPOSALS FROM 01.10.2022 TO 3.12.2022	PENDENCY
(A) ORIGINAL SIDE (CIVIL)	145928	10486	11441	144973
(B) APPELLATE SIDE (CIVIL)	57047	2383	3469	55961
(C) CRIMINAL SIDE	33574	3887	4713	32748

GRAND TOTAL:

GRAND TOTAL OF CIVIL CASES	202975	12869	14910	200934
GRAND TOTAL OF CRIMINAL CASES	33574	3887	4713	32748
GRAND TOTAL OF MAIN CASES	236549	16756	19623	233682



Disclaimer: Above statements are compiled on the basis of figures & Information received from the respective Registry.



Sanctioned strength, working strength, and vacancy position of Judicial Officers in the State of Telangana as on 31-12-2022

S.No	Cadre Strength	Sanctioned Strength	Total Number of Judicial Officers Working	Total Number of Vacancies
1.	District Judges	173	117	56
2.	Senior Civil Judges	142	108	34
3	Junior Civil Judges	245	185	60
	TOTAL	560	410	150

Judicial Service: a) District Judge under Direct Recruitment (25%quota) :

DISTRICT JUDGE (ENTRY LEVEL) UNDER DIRECT RECRUITMENT FOR THE YEAR 2022:

As proposed by the High Court, the Government of Telangana issued Brief Notification No.59/2022-Rc, Dated :16-04-2022, inviting applications for Thirteen (13) posts of District judge, by Direct Recruitment under 25% quota by fixing the last date for submission of application upto 5.00 pm on 02/05/2022. On receipt of the applications from the candidates, the Government forwarded 606 applications to the High Court; that the High Court scrutinized the applications and prepared the eligible and ineligible list and placed the same in the website of the High Court fixing the date of examination as 03-09-2022 and 04-09-2022.

The written examination consisting of paper I (Civil Law), Paper II (Criminal law), Paper III English (Translation Essay writing and Grammar vocabulary) was conducted on 03-09-2022 and 04-09-2022 at Hyderabad.

Further, evaluation of answers papers completed and the qualified candidates in the written examination called for oral interviews to be conducted from 08-11-2022 to 10-11-2022 was placed in the website of High Court. Accordingly, oral interviews were conducted to qualified candidates and the hall ticket number of provisionally selected candidates are placed in the website of the High Court on 14-11-2022. A letter dated on 21-11-2022 was addressed to the Government to issue orders appointing of provisional selected candidates by the High court, as District Judge, after verification of antecedents. Orders from the Government are awaited.

**DISTRICT JUDGE (ENTRY LEVEL) UNDER ACCELERATED RECRUITMENT BY TRANSFER
FOR THE YEAR 2022:**

The High Court issued Notification No.143/2022-Rc, Dated 16-04-2022, inviting applications for Nine (09) posts of District judge, by transfer through Limited Competitive Examination (Accelerated Recruitment by Transfer) by fixing the last date for submission of application upto 5.00 pm on 16/05/2022. As on the last date 07 applications were received; that the High Court scrutinized the applications and prepared the eligible and ineligible list and placed the same in the website of the High Court fixing the date of examination as 03-09-2022 and 04-09-2022.

The written examination consisting of paper I (Civil Law), Paper II (Criminal law), Paper III English (Translation Essay writing and Grammar vocabulary) was conducted on 03-09-2022 and 04-09-2022 at Hyderabad. Further, evaluation of answers papers completed and the qualified candidates in the written examination called for oral interviews to be conducted from 08-11-2022 to 10-11-2022 was placed in the website of High Court. Accordingly, oral interviews were conducted to qualified candidates and the hall ticket number of provisionally selected candidates are placed in the website of the High Court on 14-11-2022. A letter dated 21-11-2022 was addressed to the Government to issue orders appointing provisional selected candidates by the High court, as District Judge, after verification of antecedents. Orders from the Government are awaited.

CIVIL JUDGES – 2022

Detailed notification is issued on 06-05-2022 inviting applications through online for 50 posts of Civil Judge in the Telangana State Judicial Service notified for the years 2021 and 2022 (41 vacancies to be filled under Direct recruitment and 09 vacancies to be filled under Recruitment by Transfer) by fixing the last date for submission of online Application as 06-06-2022 upto 11.59 p.m. Computer based screening test was conducted on 13-08-2022. The hall ticket numbers of the qualified candidates of Computer based screening test which was conducted on 13-08-2022 were placed in the website on 12-09-2022 in the ratio of 1:10 of the notified vacancies. Thereafter, a Notification dated 12.09.2022 was placed in the website of

the High Court, directing the qualified candidates for written examination for submission of attested copies of certificates in proof of their educational qualifications and class/category etc, for scrutiny of their eligibility to the post. Further, the written examination consisting of 3 papers was conducted on 26-11-2022 and 27-11-2022 at Hyderabad. Further recruitment process is in progress.



Disclaimer: Above statements are compiled on the basis of figures & Information received from the respective Registry.



Sanctioned strength, working strength and vacancy position of Ministerial Staff in District Courts as on 31-12-2022

Sanctioned Strength	9835
Working Strength	5382
Vacancies	4453

FILLING UP OF VACANCIES IN THE SUBORDINATE COURTS IN THE STATE OF TELANGANA

The High Court, has taken steps to centralize the process of recruitment of staff in the subordinate courts through online by utilizing the technical services of Tata Consultancy Services Limited. Accordingly, the High Court issued Notifications inviting applications through online for filling up of 592 posts of Court Staff in the State of Telangana by direct recruitment under Telangana Judicial Ministerial & Subordinate Services, for maintaining confidentiality, transparency and to overcome the delay in recruitment process and the last date for submission of applications is fixed as 04-04-2022. The computer based online examinations were conducted in the State of Telangana from 07-09-2022, 10-09-2022 and 11-09-2022 in three (03) shifts per day for 592 notified posts under Telangana Judicial Ministerial Services.

Further, on 14-11-2022 the High Court declared the hall ticket numbers of the candidates who secured minimum qualifying marks in the computer based examination and become eligible to attend for skill test for the posts of Stenographer Grade - III, Typist and Copyist; that on the same day, it is also declared the hall ticket numbers of the qualified candidates to be called for oral interview in the ratio of 1:3 of the notified vacancies in the categories of Junior Assistant, Field Assistant, Examiner, Record Assistant and Process Server. Accordingly, the oral interviews (viva-voce) were conducted to the qualified candidates for non- technical posts from 01-12-2022 to 07-12-2022 in all the Units and the hall ticket number of provisionally

selected candidates are placed in the website of the High Court on 22-12-2022. As directed, the Unit Heads were requested to get the antecedents of the provisional selected candidates to be verified by the concerned Police Officials, and appointment orders were issued to eligible candidates for the non- technical category posts under Telangana Judicial Ministerial Services. Apart from the same, skill tests were conducted to the qualified candidates for the technical category posts viz., Typist and Copyist on 31-12-2022. Further Recruitment process is in progress.

FILLING UP OF VACANCIES IN THE HIGH COURT FOR THE STATE OF TELANGANA [43 posts of Typist and 42 posts of Copyist]

The High Court issued Notification ROC. No. 545/2022-RC, dated 25.07.2022 inviting applications through online for filling up of 43 posts of Typist and 42 posts of Copyist in the service of High Court for the State of Telangana, Hyderabad. The computer based written examination and typewriting test in English for both categories was conducted on 25.09.2022 at 04 Centres in Hyderabad; that as informed by the Tata Consultancy Services Limited, till the last date 2382 applications received, and out of 2382 candidates, 2027 candidates appeared for the computer based examination.



Disclaimer: Above statements are compiled on the basis of figures & Information received from the respective Registry.



District wise Statement of the Institutions, Disposal and Pendency of Cases from 01-10-2022 to 31-12-2022

CONSOLIDATED STATEMENT SHOWING THE DISTRICT-WISE INSTITUTIONS, DISPOSALS AND PENDENCY OF CIVIL AND CRIMINAL CASES FOR THE PERIOD FROM 01-10-2022 TO 31-12-2022

Sl.No	NAME OF THE DISTRICT / UNIT	CIVIL			CRIMINAL		
		INSTITUTION	PENDENCY	DISPOSAL	INSTITUTION	PENDENCY	DISPOSAL
1	ADILABAD	411	2,296	522	1,240	6,716	1,297
2	KUMURAMBHEEM ASIFABAD	103	1,310	91	818	3,310	843
3	MANCHERIAL	879	4,580	945	3,780	10,494	3,425
4	NIRMAL	185	1,996	149	1,555	6,815	1,485
5	HYDERABAD - i) CITY CIVIL COURTS	5,506	56,457	6,658	142	1,809	124
6	ii) CITY SMALL CAUSES COURTS	74	1,050	138	0	0	0
7	iii) METROPOLITAN CRIMINAL COURTS	0	0	0	28,420	87,855	28,863
8	iv) TRIBUNALS	167	3,546	324	26	53	22
9	v) CBI UNIT	0	0	3	51	1,648	83
10	KARIMNAGAR	1,196	11,834	987	2,487	21,160	2,212
11	JAGTIAL	469	5,399	330	1,181	10,844	634
12	RAJANNA SIRCILLA	398	3,920	363	998	7,076	936
13	PEDDAPALLY	515	5,870	566	2,036	10,984	1,789
14	KHAMMAM	3,091	13,931	3,163	6,030	20,465	5,805
15	BADRADRI KOTHAGUDEM	381	3,135	490	2,662	15,226	2,062
16	MAHABUBNAGAR	1,248	7,130	1,102	2,449	10,660	2,231
17	JOGULAMBA GADWAL	300	3,833	297	917	5,247	876
18	NARAYANPET	342	1,786	253	768	3,832	663
19	NAGARKURNOOL	530	6,441	452	1,609	7,390	1,222
20	WANAPARTHY	555	4,740	553	1,904	6,017	1,393
21	MEDAK	434	4,045	218	2,431	7,757	2,138
22	SANGAREDDY	1,469	13,800	1,249	2,163	14,705	1,291
23	SIDDIPET	1,275	8,209	902	4,592	13,177	4,264
24	NALGONDA	1,332	15,709	1,316	5,717	26,178	5,320
25	SURYAPET	660	9,182	870	2,476	17,787	2,080
26	YADADRI BHUVANAGIRI	1,044	8,017	1,210	2,235	11,938	2,093
27	NIZAMABAD	1,334	8,821	1,192	1,324	11,581	949
28	KAMAREDDY	460	3,644	333	1,527	8,018	1,181
29	RANGAREDDY	6,526	48,869	7,030	8,605	59,444	7,402
30	MEDCHAL-MALKAJIRI	5,526	30,077	3,380	6,211	45,888	3,857
31	VIKARABAD	1,200	6,995	997	973	8,559	680
32	WARANGAL	1,680	9,829	1,107	2,077	11,075	753
33	HANUMAKONDA	1,990	13,707	940	2,880	14,797	1,221
34	JANGAON	524	4,834	250	616	5,324	341
35	JAYASHANKAR BHUPALAPALLY	658	2,321	231	486	5,643	321
36	MAHABUBABAD	446	3,673	135	902	7,413	179
37	MULUGU	151	870	95	540	2,664	264
	GRAND TOTAL	43,059	3,31,856	38,841	1,04,828	5,09,549	90,299



Disclaimer: Above statements are compiled on the basis of figures & Information received from the respective Registry.



Activities of Telangana State Legal Services Authority

FROM 01.10.2022 TO 31.12.2022

+ Gandhi Jayanthi on 02-10-2022 :

All the District Legal Services Authorities in the State have conducted Legal Literacy camps. Medical camps for the Senior citizens were also conducted and provisions of NALSA (Legal Services to Senior Citizen) Scheme 2016 was explained.

The Chairman, MLSA, Hyderabad has visited the Central Prison for Men, Chanchalguda, Hyderabad and interacted with the Jail inmates on the occasion of Gandhi Jayanthi.

The Chairperson & Secretary, CCCLSA, Hyderabad has conducted Free Medical Camp to Senior Citizens at Sikh Village to Poor people. Free Medical Tests were conducted to public and Senior Citizens, created awareness on NALSA (Legal Services to Senior Citizens) Scheme, 2016. Medical Camp was organized with the coordination of an NGO. The Secretary, DLSA, Khammam has conducted medical camp at Jeevana Sandhya Old Age Home, Khammam on 02-10-2022 for the benefit of the Senior Citizens.

+ International Girl's Child Day on 11-10-2022 :

All the District Legal Services Authorities in the State have conducted Legal Literacy camps and created awareness on the ill-effects of child marriages and a pledge was also made for stopping of child marriages.

+ On 16.10.2022, PLVs of Mahabubnagar unit have conducted Campaign and took pledge against the child marriage at their respective communities by lighting candle/Diya by the Satyarthi Children's foundation.

+ On 15.10.2022, the Member Secretary, TSLSA has inaugurated the Legal Aid Clinic established by Prajwala, NGO at Hyderabad.

+ On 29.10.2022, the Member Secretary, TSLSA has participated in the "First National Symposium on Food, Health & Education in Early Childhood – Adolescence important issues & Challenges" conducted at Hyderabad.

- ✚ On 31.10.2022, the Member Secretary, TSLSA has attended the virtual interaction conducted with the Member Secretary, NALSA regarding preparations for two week campaign to be launched by the Hon'ble Executive Chairman, NALSA.
- ✚ On 31.10.2022, the Hon'ble Executive Chairman, TSLSA, the Member Secretary, Administrative Officer, Staff of all the Legal Services Functionaries have participated in the virtual Launch of campaigns (i) "Empowerment of Citizens through Legal Awareness and Outreach" & (ii) "Haq_humara_bhi_to_hai @ 75" by the Hon'ble Executive Chairman, NALSA & Chief Justice of India (Designate).
- ✚ As per the directions of the Hon'ble National Legal Services Authority, the Telangana State Legal Services Authority has organized various programmes under the Campaign 'Empowering Citizens through Legal Awareness and Outreach' & Haq Hamara Bhi Hai".

In order to make the Campaign, a grand success, the DLSAs have constituted Outreach Teams, consisting of Panel Advocates, Para Legal Volunteers, Law Students and Village level Officers and Anganwadi workers etc.

The team members were explained them about the aims and objectives of the Campaign. Flexis and Publicity Material were provided to each team for display and distribution. The team members were encouraged to see that the Campaign should be undertaken to reach the last person in every Gram Panchayat of the districts. The team members, with the cooperation of the local Panchayat Secretaries, could able to gather the Villagers at a prominent place, distributed publicity material and created awareness on various Legal Services Schemes and Activities.

The DLSAs have conducted Preparatory meetings with Para Legal Volunteers and other stake holders to discuss about the LAUNCHING OF NALSA CAMPAIGNS. The Member Secretary, TSLSA has attended the meeting conducted by City Civil Court Legal Services Authority, Hyderabad as Chief Guest and addressed the gatherings about the objectives of the NALSA Campaign.

The DLSAs have conducted Rallies as part of the Campaign in their respective districts with the coordination of officials, PLVs and Panel Lawyers etc.

- ✚ On 02.11.2022, the Member Secretary, TSLSA has conducted virtual interaction meeting with all the DLSAs with regard to conduct of National Lok Adalat, Empowerment Campaign and other subjects.
- ✚ on 05-11-2022 the District Legal Services Authority, Nizamabad has conducted Blood Donation Camp with the coordination of Thalassemia Sickle Cell Society, at Nyaya Seva Sadan, District Legal Services Authority, Nizamabad. The Chairperson and the Secretary, DLSA, Nizamabad have created Awareness on Blood Donation. In the programme 117 persons have donated blood to the needy “Thalassemia Patients” and about 350 students and staff participated in the programme.
- ✚ The Member Secretary, TSLSA has participated in the Convergence Meet of stakeholders on POCSSO theme was conducted by the Telangana Judicial Academy, Secunderabad and Juvenile Justice Committee, High Court for the State of Telangana On 06.11.2022.
- ✚ On 06.11.2022, the Mandal Legal Services Committee, Vikarabad has conducted Health Camp in coordination with Dr. Jagan Mohan School of Excellence. Hon’ble Sri Justice P. Naveen Rao, Judge, High Court for the State of Telangana and Hon’ble Executive Chairman, TSLSA, Hon ble Sri Justice M.Laxman, Judge, High Court for the State of Telangana have participated the public about health awareness. The Member Secretary, TSLSA, Judicial Officers and other stakeholders have also attended the programmes and explained the importance of Mega Awareness camp in the Rural and remote areas.



- On 07-11-2022, Module Mega Legal Awareness Camp was organized by the Chairman, MLSA, Hyderabad. The Member Secretary, Telangana State Legal Services Authority, attended as Chief Guest and distributed assets / Artificial Limbs, Battery Tricycles, Issued of E-Shram cards to the beneficiaries in collaborations with concerned Stake Holders.



✚ On 09.11.2022, the Member Secretary, TSLSA has attended One Day State Level Orientation cum Sensitization Programme on Child Rights – Contemporary Challenges in Telangana at the Institution of Engineer (India) Auditorium at Hyderabad.

✚ **Legal Services Day on 09.11.2022:**

All the Legal Services Institutions in the State have conducted Legal Services Programmes on the occasion of “National Legal Services Day”. Rallies were also organized.

An Exhibition was organized by the DLSA, Ranga Reddy in the District court complex at L.B.Nagar on the occasion of National Legal Services Day to showcase working, functioning and achievements of Legal Services Institutions and Judicial Administration, with special focus on citizen centric services to achieve the objectives “Access to Justice”.

A Legal Services Exhibition was also organized at Sardar Patel Stadium, Khammam on 09-11-2022. Flexis, Phamplets, Wall Posters and publicity material were displayed in the Exhibition. Posters depicting Nyaya Bandhu, Legal Services Mobile App were also displayed. General Public and School Students have visited the Exhibition. Model Court was exhibited in the Exhibition the Students were explained about the Courts. Short Films prepared by TSLSA were also displayed to attract more gathering at the Exhibition. DLSA has also conducted Free Eye Check-up camp, General Public and Auto Drivers availed the free eye check up facility.

The Secretary, DLSA, Warangal has conducted Legal Awareness Programme on the eve of Legal services day and distributed sewing machines in co-ordination with Sarvodaya Youth organization & Usha Silai School at Kamalapur village.

✚ NALSA Module Mega Legal Awareness Camp empowerment of citizens through Legal Awareness and Outreach, and Medical Camp, conducted by the City Civil Court Legal Services Authority, Hyderabad under the aegis of National Legal Services Authority, and Telangana State Legal Services Authority, Hyderabad, at Amberpet, GHMC Grounds. In the said programme, Judl.Officers, Advocates, Officials of Various Govt. Departments participated.

The Chairperson, DLSA has addressed the meeting and created awareness to public on several Govt. Schemes, various Laws including POCSO, Motor Vehicle Act, Legal Services Authority Act, and appreciated the District Administrative for successful COVID vaccination.

Free Medical camp was conducted and various Medical tests were conducted to public with the help of D.M.&H.O Hyderabad. Fruits and biscuits were distributed to the participants.

Children's Day on 14.11.2022:

All the District Legal Services Authorities in the State of Telangana have observed "Children's Day. The Chairman, MLSA, Hyderabad has inaugurated stall of Weaving Products at Juvenile Justice Board Courts Campus to encourage the children of observation homes to learn Weaving work as part of skill development.

The Chairperson & the Secretary, CCCLSA, Hyderabad has visited Observation Home for Boys,(Juvenile) at Saidabad, Hyderabad on the occasion of Children's Day, and observed the conditions and enquired with the children about the food and other facilities available and created awareness on free Legal Aid.

Constitution Day on 26.11.2022 :

All the District Legal Services Authorities in the State of Telangana has observed and celebrated Constitution Day by reading out the Preamble of the Constitution in the presence of Judicial Officers, Members of Bar Association, Staff, Panel Lawyers and Para Legal Volunteers. Rallies were also taken on the occasion in some districts of the State.

The District Legal Services Authority, Ranga Reddy District in coordination with Bar Association, Ranga Reddy District has conducted Legal Awareness on Law Day/Samvidaan Divas and Anti Dowry Day. The Member Secretary, TSLSA, the Chairman, DLSA, the Metropolitan Sessions Judge, Ranga Reddy District, Bar Association President, and other stakeholders have attended the meeting and addressed the gathering on importance of Law Day, Anti Dowry Day. NGOs and stakeholder groups set up the stalls, explained their services to the public, and performed a superstition-themed magic show.

- ✚ on 10.12.2022 and 11.12.2022, the Member Secretary, TSLSA has attended the programme on National Annual Stakeholders Consultation on Child Protection, which was organised under the aegis Juvenile Justice Committee of Hon'ble Supreme Court of India, in supreme Court Building, New Delhi. In the said Session, the focus was made on implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012.
- ✚ On 12.12.2022, the Member Secretary, TSLSA has conducted a meeting with the Addl. Director, Tribal Welfare Department, Government of Telangana to discuss about the implementation of Legal Services Programmes in the (3) identified aspirational districts of Telangana i.e. Komuram-Bheem Asifabad, Jayashankar Bupalapally and Bhadradri Kothagudem, and the Department assured their fullest cooperation in implementing the scheme in its true spirit.
- ✚ On 13.12.2022, the Member Secretary, TSLSA and the Standing Counsel, TSLSA has visited Spl. Prison for Women, Chanchalguda, Hyderabad and interacted with the inmates and enquired about their grievances.
- ✚ On 17.12.2022, the Member Secretary, TSLSA has participated in the State Level Joint Workshop with Women Development & Child Welfare Department on POCSO Act, 2012 conducted for Judicial Authorities, Child Welfare Committees and the concerned Government Officials at Telangana State Judicial Academy, Hyderabad.
- ✚ On 18.12.2022, the DLSA, Warangal has organized Judicial Programme at District Court Complex, Hanamkonda. The Hon'ble Executive Chairman TSLSA & Member Secretary, TSLSA, Law Secretary to the Government, Kailash Satyarthi and other stakeholders have participated in the programme.
- ✚ On 27.12.2022, the Member Secretary, TSLSA has conducted Interaction Meeting with the Officials of RBI, NABARD, Lead Banks to discuss about the implementation of RBI Master direction for providing Debt Swapping Loans to the Farmers as per the directions passed by the Hon'ble High Court in W.P. (PL) No. 269/2018. The officials of the Agricultural Department, Government of Telangana and the writ petitioner were also participated in the meeting.
- ✚ On 29.12.2022, the Member Secretary, TSLSA has interacted virtually with the Prl. District Judges of newly constituted 23 DLSAs to discuss about the

inauguration of the new District Legal Services Authorities scheduled to be held on 02.01.2023.

SUCCESS STORIES :

- ✚ A news item was published in “Eenadu” daily news paper under caption “pramadam thongichusthondi”. The contents of news item are that a electric poll beside the District Education Office, Adilabad is bending down on the road and became dangerous for the students who travelling on the road. Immediately, the DLSA, Adilabad has issued notice to the officials of Electricity Department and directed them to take steps for immediate repairs. On the very next day, the electric officials fixed new electrical pole. Due to the efforts made by the DLSA, the problem faced by the people was resolved immediately.
- ✚ A news item was published in “Eenadu” daily news paper under the caption “gurthinchakapothe ee kurche gathi”. The contents of news item are that there is manhole without lid in the compound of RIMS Hospital, Adilabad and it has become dangerous to the patients who are roaming in the hospital premises. The officials of RIMS Hospital placed a wheelchair to close the manhole as temporary gap arrangement. Basing on the news item, the DLSA, Adilabad has directed the Director, RIMS , Adilabad to take immediate steps. On the very next day, the RIMS officials fixed the lid and closed the manhole.
- ✚ A news item was published in the “Eenadu” Telugu daily news paper under the caption “bhagiratha neerantha...rahadari palu”. The contents of news item are that due to water pipeline leakage under Mission Mission Bhagiratha Programme, pot holes formed and stagnated water emitting foul smell. The DLSA, Adilabad took up the matter with the concerned officials and the leakage was rectified giving relief to public.
- ✚ A student of Telangana Social Welfare Residential School and College, Dharmaram(B) girl namely Akkapelly Vasundara got medicine seat in MBBS course and approached the District Legal Services Authority, Nizamabad for economical help. The District Legal Services Authority, Nizamabad approached an NGOs in the matter and the said girl was provided a cheque for amount of Rs.50,000/- by her higher studies.

- ✚ On 05.11.2022, the Secretary, District Legal Services Authority, Sanga Reddy has conducted a campaign on various schemes for the disabled and the senior citizens, etc. During the said programme an amount of Rs.52 crores 25 lakhs was disbursed to the Self Help Group Members in Sangareddy District by the District Rural Development Agency, Sangareddy and also Subsidy Amount to an extent of Rs.2,48,500/- was also disbursed to 2 beneficiaries by the Tribal Welfare Department, Sangareddy under the Self Employment / Economic Support Schemes. The Labour Department has issued Sanction Letters to 10 beneficiaries i.e. under the Maternity Benefit Scheme to 7 beneficiaries for an Amount Rs.2,10,266/-; Marriage Gift Scheme to 1 beneficiary for an Amount Rs.30,038/- and Natural Death Scheme to 2 beneficiaries for an Amount Rs.2,60,076/-.
- ✚ As per the Instructions of the Chairperson, CCCLSA, Hyderabad, the Secretary, CCCLSA has visited Geetha Nursing Home, where girl students were admitted for treatment in a gas leak incident. For better treatment, the girl students were shifted to Yashoda Hospital, on 18.11.2022. The Secretary, DLSA, CCCLSA, Hyderabad has visited the hospital daily and enquired about the health conditions of each and every student, and discussed with the Doctors, Medical Staff and gave instructed to give proper Medicare, and confidence to the Parents of the students. After treatment the students were discharged on 25.11.2022.
- ✚ Upon the instructions of the Member Secretary, TSLSA to provide medical treatment to a poor and blind woman residing at Government Home for Aged & Disabled Women, Hyderabad suffering with Uterus Cancer, and also under the directions of the Chairperson, MLSA, Hyderabad, the Secretary, MLSA has contacted the Indo American Cancer Hospital, Hyderabad as suggested by the District Medical and Health Officer, Hyderabad.

The Hospital Authorities have conducted surgery successfully and the patient was discharged after observation. Upon the instructions of the Chairman, MLSA, the Secretary, MLSA, Hyderabad visited the Hospital and met the woman to enquire about the post operation health condition for which the woman stated that she is in good health and thanked the legal services team for her treatment. Thus with the initiated and persuasion of MLSA, Hyderabad, the management of the Hospital provided free treatment to

the cancer patient. The Secretary, DLSA, Ranga Reddy during her visit to Kasturba Trust Home, Rajendranagar, conducting a programme on the occasion of Gandhi Jayanthi. During the programme, found a woman staying in the home along with her minor son for the past one and half year, due to her husband's harassment without giving complaint to either police or court. Upon interaction, the woman stated that she is living with her son in the home to escape harassment from her husband.

As advised, the woman gave a grievance petition with the assistance of PLV. The Secretary, DLSA has conducted counseling to both wife and husband and as a result, the petitioner has joined her husband along with her son leading happy married life. Thus, with the intervention and conciliation efforts made by DLSA, Ranga Reddy, the matrimonial dispute was settled amicably.

- ✚ On 28-11-2022, the Member Secretary, TSLSA, the Registrar (Vigilance), High Court for the State of Telangana, the Chairman & Secretary of DLSA, R.R. District has visited the Government Home for the Aged and Disabled Women, Ranga Reddy District at Mansoorabad and distributed Blankets and Woolen Sweaters to the senior citizens and also interacted with them.



- ✚ Sri Vivekananda High School, Kotagiri, Nizamabad District has conducted a programme on 15-12-2022 at Kotagiri for distribution of blankets, cloths etc., to the poor people and Scholarships to the students. The Secretary, District Legal Services Authority, Nizamabad has attended the programme as Chief

Guest and created awareness to the School Children who attended the programme on the topics of Legal Aid, DLSA activities etc., Publicity material was also distributed on the occasion.

- ✚ The District Legal Services Authority, Nizamabad has conducted Legal Awareness Programme in coordination with Sneha Society for Rural reconstructions, Health Department and conducted Free Medical Health Camp for disabled on 22-12-2022 at Nyaya Seva Sadan, District Legal Services Authority, Nizamabad. The Chairperson, DLSA, Nizamabad attended as Chief Guest, Secretary, DLSA has enlightened the students, participants on the topics of NALSA (Legal Services to the Mentally ill and Mentally Disabled Persons) Scheme, 2015, DLSA activities, Welfare Schemes.

Dr. Prathimaraj, Superintendent, Govt. General Hospital, Nizamabad and Dr. Jalagam Thirupathi, MD Physician brought Awareness on the topics of Health precautions, etc., to the participants who attended the programme. Further, the Doctors team conducted Medical Checkups to the disabled students, staff etc., who attended in the programme.

- ✚ The DLSA, Adilabad has received a petition from Pasupula Sujatha R/o. Shantinagar, Adilabad stating that her husband is torturing her for additional dowry and necked out her from his house. She requested the DLSA, Adilabad to settle the matter amicably. The DLSA, Adilabad has taken up the matter as PLC and settled the matter amicably.

- ✚ The DLSA, Adilabad has received a petition from Sri Palepu Vittal, R/o Arli-B village stating that Sri Kushnapelli Rajesh(R1) and Kushnapelli Ashok (R2) of their village illegally encroached CC Road and constructed toilets. When the petitioner asked to remove the same they threatened the petitioner with dire consequences to kill him. This petitioner requested the DLSA, Adilabad to issue notice to Respondents and settle the matter amicably.

Accordingly, the DLSA has issued notice to the Respondents in PLC. Both the parties appeared before that Authority, and due to conciliating efforts made by the DLSA, the Respondents removed the illegal construction made earlier.

- ✚ The DLSA, Adilabad has received a petition from one Smt. Virnala Nagamma stating that her husband Sri Virnala Ravi torturing her for additional dowry

and necked out her from his house. She requested the DLSA to settle the matter amicably. The DLSA, Adilabad has issued notice to Sri Virnala Ravi vide PLC with direction to appear before the DLSA. After conciliation efforts made by the DLSA, both the parties have compromised and now living together.

✚ On 14.12.2022, a news item was published in “Eenadu” daily news paper under caption “Nanna....makevaru dikku”. The contents of news item were that, One Suryavamshi Thrimukh died due to ill-health. Due to his demise, nobody was there to look after his family members (i.e his wife and children). Immediately, the DLSA, Adilabad has instructed the District Child Protection Officer to visit the family and do the needful to them. The DCPU, Adilabad enquired into the matter and stipend of Rs.2,000/- per month to each child was sanctioned for their studies.

✚ The Secretary, CCCLSA, Hyderabad has conducted a Meeting with Kasturba College Students at Nyaya Seva Sadan and discussed about their Health Conditions who were affected with an unknown Gas leakage near their College at East Maredpally, Secunderabad on 18.11.2022. The girls suffering with ill health were admitted in NIMs Hospital for treatment. The CCCLSA, Hyderabad has coordinated with the Government for 24 girls for medical treatment in total and follow up action.

✚ As per the directions of the Chairperson, CCCLSA, Hyderabad, the Secretary, CCCLSA along with staff Members have rescued a 60 years old person namely Srinivas who is living on road side at Nayapul and admitted him in Government Osmania Hospital. Also enquired about his health condition and family background and united him with his brother.



Disclaimer: Above statements are compiled on the basis of figures & Information received from the Telangana State Legal Services Committee.

HIGH COURT LEGAL SERVICES COMMITTEE

HIGH COURT FOR THE STATE OF TELANGANA

Statistical information in respect of Lok Adalats conducted and cases settled during the period from October, 2022 to December, 2022

Sl. No.	Month & Year	Date of Lok Adalat	No. of Pre-Litigation Cases Taken up	No. of Pre-Litigation Cases Settled	PLC Cases Settled Amount (Rs/-)	No. of Pending Cases Taken up	No. of pending Cases Settled	Pending Cases Settled Amount (Rs/-)	Total Amount (PLC + Pending) (Rs/-)
1.	October, 2022	-	-	-	-	-	-	-	-
2.	November, 2022	12-11-2022 (National Lok Adalat)	50	39	3,63,56,048/-	363	194	5,86,33,952/-	9,49,90,000/-
3.	December, 2022	-	-	-	-	-	-	-	-
Total:			50	39	3,63,56,048/-	363	194	5,86,33,952/-	9,49,90,000/-

Statistical information in respect of Legal Aid provided during the period from October, 2022 to December, 2022

Sl.No.	Month	SC	ST	Women	General	In custody	Total
1.	October, 2022	1	--	1	--	5	7
2.	November, 2022	1	--	10	34	7	52
3.	December, 2022	--	2	6	11	6	25
Total :		2	2	17	45	18	84

**Statistical information in respect of Identification of parties in Criminal Petitions/Writ Petitions/Criminal Revision Cases etc., during the period
From October, 2022 to December, 2022**

Sl.No.	Month	CrI.P	CrI.RC	CrI.A	W.P	AS	SA	Total
1.	October, 2022	16	1	--	--	1	--	18
2.	November, 2022	34	7	3	--	--	2	46
3.	December, 2022	85	8	--	--	--	--	93
Total :		135	16	3	--	1	2	157



Disclaimer: Above statements are compiled on the basis of figures & Information received from the High Court Legal Services Committee.



Activities of Telangana State Judicial Academy

FROM 01.10.2022 TO 31.12.2022

Brief Outline of trainings, programs, workshop and events conducted at TSJA:

The Telangana State Judicial Academy has conducted various programmes through online and off-line mode between 01.10.2022 to 31.12.2022. The programmes during the period include the III Orientation Course for newly promoted Senior Civil Judges. A Sensitization Programme on Mediation was held in collaboration with International Arbitration and Mediation Centre, to all the presiding officers in the Districts of Hyderabad and Ranga Reddy. A Convergence Meet of Stakeholders on POCSO Theme on effective implementation of POCSO Act, 2012 was organized. The Academy in collaboration with Telangana State Consumer Disputes Redressal Commission has conducted a Two Day Programme on 'Art of Writing Orders' for Presidents and Members of District Consumer Commission. The Academy has also conducted various ECT programmes during the said period.

Speakers

The participants of various training programmes have gained from the lectures and interactions with their Lordships, Hon'ble Sri Justice Shameem Akther, Judge High Court for the State of Telangana and President, Telangana State Judicial Academy, Hon'ble Sri Justice T.Vinod Kumar, Judge, High Court for the State of Telangana and Hon'ble Sri Justice B. Vijaysen Reddy, Judge, High Court for the State of Telangana and Member, Board of Governors, Telangana State Judicial Academy, who addressed the participants. The participants also benefited from hearing his Lordship Hon'ble Sri Justice Ujjal Bhuyan, Chief Justice, High Court for the State of Telangana and Patron-in-Chief, Telangana State Judicial Academy on the Inaugural Session held during Convergence Meet of Stakeholders on POCSO Theme. The participants of Mediation Sensitization Programme, not only had the privilege of hearing his Lordship Hon'ble Sri Justice Ujjal Bhuyan, Chief Justice, High Court for the State of Telangana but also were beneficiaries of receiving the knowledge from Hon'ble Ms. Justice Hima Kohli, Judge, Supreme Court of India and Hon'ble Mr Justice L.Nageshwara Rao Former Judge, Supreme Court of India. The others speakers also include various eminent personalities from different walks of life.

Trainings and Events:

The Judicial Academy had also conducted ECT_10_2022 Outreach Training Programme for Technical Staff of High Court and NIC coordinators on 'Hardware & Software Maintenance, Data Replication, Data monitoring, VC equipment, Lan connections, etc.' through physical mode on 15.10.2022 and 24 Technical Staff of the High Court and NIC Coordinators have participated in the Outreach Training Programme. The participants were addressed by Master Trainers Sri T.Venkateshwara Rao, I/c. Registrar (I.T) – cum- Central Project Coordinator, High Court for the State of Telangana, Sri B. Ramachander, Senior Technical Director, National Informatics Center, Hyderabad, Smt Subha, Scientist, National Informatics Center, Hyderabad, Sri Amit Kumar, Sales Support Management Analyst at HP India Sales Pvt Ltd. SCDL. Sri Kiran Kumar, Director, Senior Tax Analyst, Ernst & Young Global Services LLP, Bengaluru.

The Judicial Academy had conducted III Orientation Course for 38 newly promoted Senior Civil Judges for two weeks from 14.11.2022 to 26.11.2022. The Course curriculum included legal aspects relating to Civil, Criminal and allied laws with emphasis on areas which the newly promoted Senior Civil Judges would be dealing. The training also included group presentations on live topics which the officers would be dealing on regular basis.

The Judicial Academy had also conducted training programme for the staff members of Subordinate courts, who are concerned with the checking of complaints, petitions, appeals at 10 district head quarters on 05.11.2022 by nominating resource persons and a total of 583 participants across the state have benefited from the training.

The Telangana State Judicial Academy under the direction and guidance of Hon'ble Sri Justice Ujjal Bhuyan, Chief Justice, High Court for the State of Telangana and Patron-in-Chief, Telangana State Judicial Academy has conducted a Convergence Meet of Stakeholders on 'POCSO Theme' on 05.11.2022 to the Judicial Officers, Public Prosecutors, Police Officers, NGOs, UNICEF and other Stakeholders. The Inaugural Session has seen the addresses by Sri M. Mahender Reddy, Director General of Police, Sri Somesh Kumar, Chief Secretary, Government of Telangana. The Inaugural address was made by Hon'ble Sri Justice T. Vinod Kumar, Judge, High Court for the State of Telangana & Chairperson, Juvenile Justice Committee, High Court for

the State of Telangana, in which his Lordship has set-out the objective of the convergence meet, with focus on the victim at the center of entire criminal justice system. The session then witnessed the valuable message being made by Hon'ble Dr. Justice Shameem Akther Judge, High Court for the State of Telangana & President, Telangana State Judicial Academy on the POCSO Act.



The keynote address in the inaugural session was delivered by Hon'ble Sri Justice Ujjal Bhuyan Chief Justice, High Court for the State of Telangana and Patron-in-Chief, Juvenile Justice Committee, wherein His Lordship has shared his experiences and have spoken elaborately on revictimisation and have also shared the steps being

taken to protect the child victim in various jurisdictions of the world and have set the tone for the convergence meet.

Mrs. Divya Devaraj IAS, Director of Child and Women Welfare Department have dealt the topic Rehabilitation and Reintegration of POSCO Survivors and Preventive Measures and Mrs. Swati Lakra IPS, Additional Director General of Police, Women Safety Wing has taken a session on 'Investigation of Cases under POCSO'. The Third session on 'Child friendly Court Procedures during prosecution for POCSO survivors – Practices, Gaps and Opportunities' was chaired by Hon'ble Sri Justice P.Naveen Rao, Judge, High Court for the State of Telangana and Co-Chaired by Hon'ble Sri Justice A. Abhishek Reddy, Hon'ble Dr. Justice G. Radha Rani, Hon'ble Mrs. Justice S. Nanda, Judges, High Court for the State of Telangana and a paper was presented on the said topic by Sri R. Raghunath Reddy, District Judge. The audience had the benefit of hearing the concluding remarks with the insights from the day long meet by Hon'ble Sri Justice A. Abhishek Reddy, Judge, High Court for the State of Telangana.

The Judicial Academy conducted ECT_11_2022 Outreach Training Programme for District Administrators/System Officers of District Courts on 'Hardware and Software maintenance, Data Replication, Data Monitoring, VC Equipment and LAN connections' through Virtual mode on 19.11.2022 Half day (from 10.00am to 01.00pm) at District Head Quarters and 82 District Administrators/System Officers of District Courts have participated in the Outreach Training Programme. The Sessions in the training programme were taken by Master Trainers Sri T.Venkateshwara Rao, I/c. Registrar (I.T) – cum- Central Project Coordinator, High Court for the State of Telangana. Sri B. Ramachander, Senior Technical Director, National Informatics Center, Hyderabad, Smt. Achutta Venu, Senior Technical Director, National Informatics Center, Hyderabad, Sri G.Raja Shekar, Technical Director, National Informatics Center, Hyderabad. Sri Kasi Reddy, Technical Director, National Informatics Center, Hyderabad. Smt Subha, Scientist, Prl. Systems Analyst, Hyderabad.

The Judicial Academy under the guidance of Hon'ble Sri Justice P.Naveen Rao, Judge, High Court for the State of Telangana and with the direction and consent of Hon'ble Sri Justice Ujjal Bhuyan, Chief Justice, High Court for the State of Telangana and Patron-in-Chief, Telangana State Judicial Academy and Hon'ble Dr. Justice Shameem Akther Judge, High Court for the State of Telangana & President, Telangana State Judicial Academy has teamed with Telangana State Consumer

Disputes Redressal Commission and have designed and conducted a two day training programme on “Art of Writing Orders” to the Presidents and Members of District Commissions on 26.11.2022 and 27.11.2022. Hon’ble Sri Justice G.V. Seethapathy, Former Judge, High Court of A.P. has taken a session on ‘Appreciation of Evidence in Consumer Protection Act’. Hon’ble Dr. Justice B.Seshasayana Reddy, Former Judge, High Court of A.P. has dealt with the topic ‘Consumer Protection Act – An overview’. The other speakers include Sri G.Venkata Krishnaiah, District Judge (Retd.), Sri G.B. Reddy, Professor, Faculty of Law Osmania University, Hyderabad and Sri H.Hemanth Rao, Professor, Administrative Staff College.



The Valediction was held in the august presence of Hon’ble Sri Justice M.S.K. Jaiswal, Former Judge, High Court of A.P. & President, Telangana State Consumer Disputes Redressal Commission.

The Judicial Academy in collaboration with International Arbitration and Mediation Centre, Hyderabad, conducted “Mediation Sensitization Programme” on 11.12.2022 to the Judicial Officers of Hyderabad and Ranga Reddy Districts.



The Programme was divided into two sessions and in the first session the topic “Relevance of Mediation in Reducing Pendency” was addressed by Hon’ble Sri Justice Ujjal Bhuyan, Chief Justice, High Court for the State of Telangana and Patron-in-Chief, Telangana State Judicial Academy and the audience had the advantage of listening to Hon’ble Ms. Justice Hima Kohli, Judge, Supreme Court of India on the all important topic of Mediation and its importance. The participants further benefited by the erudite address by Hon’ble Mr. Justice L Nageswara Rao, Former Judge, Supreme Court of India on the topic “The Role of Referral Judges in Mediation” in the second session.

The Judicial Academy conducted ECT_12_2022 Outreach Training Programme for Advocate/Advocate Clerks on 'Computer Skill enhancement Programme Level I & II' through Virtue mode on 17.12.2022 Half day (from 10.00am to 01.00pm) and 136 Advocate/Advocate Clerks from all the districts of Telangana have participated in the Outreach Training Programme. The Master Trainers Sri Muppu Ravinder Reddy, Advocate and Master Trainer, Ms. Vishala Ande, Advocate have conducted the session.



Disclaimer: Above statements are compiled on the basis of Information received from the Telangana State Judicial Academy.



District Court Events



Wanaparthy district got its new Court complex building on Saturday.

Honourable Dr. Justice Devaraju Nagarjun and Honourable Sri Justice Sambasivarao Naidualong with Agriculture minister Singireddy Niranjan Reddy inaugurated the new district principal and session's court and additional civil judge building complex.