

**IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

**TUESDAY, THE TENTH DAY OF SEPTEMBER  
TWO THOUSAND AND TWENTY FOUR**

**PRESENT**

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE  
AND  
THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO**

**WRIT APPEAL NO: 1017 OF 2024**

Writ Appeal under clause 15 of the Letters Patent preferred against the order dated 02/05/2024 in W P No 30193 of 2023 on the file of the High Court.

**Between:**

1. Blue Print Projects LLP, Having its office at Plot No.43, Jayabheri Pine Valley, Gachibowli, Hyderabad. Rep by its Authorised signatory, Patiballa Venkata Naga Raja Gopal, S/o Late Sri Durga Prasad.
2. Sri Sai Infra, Having its office at 4-1/B/2, Khanapur, Narsingi Municipality. Represented by its partner and authorised signatory, Sri B. Aga Reddy, S/o Sri B. Gopal Reddy.

**...APPELLANTS/RESPONDENT Nos.11 & 12**

**AND**

1. Rock Hills Realty Private Limited, Registered under Companies Act, 2013. Having its office at H.No.35-5-109, Villa No.35, Whisper Valley, Raidurg, Serlingampally, Hyderabad. Rep by its authorised signatory, Sri Venkata Naga Ganga Adithya Tirupathi, S/o Sri Surya Prakash Rao, Aged about 36 years, R/o. Guntur, Andhra Pradesh.

**...RESPONDENT No.1/PETITIONER**

2. State of Telangana, Rep by its Principal Secretary (Revenue) Secretariat, Hyderabad.
3. The District Collector, Ranga Reddy District, Kongara Kalan, Ibrahimpatnam, Ranga Reddy District.
4. The RDO, Rajendranagar, Ranga Reddy District.
5. The Tahsildar, Rajendranagar Mandal, Rajendranagar, Ranga Reddy District.
6. Smt. Debbad Pushpavati, W/o Late Debbad Visweshwar Rao, Age 83 years, Occupation. Housewife, H.No.5-9-30/1/10, Road No.2, Baseerbagh, Hyderabad.
7. Sri Debbad Vinay Kumar, S/o Late Debbad Visweshwar Rao. Age 60 years, H.No.5-9-30/1/10. Road No.2, Baseerbagh, Hyderabad.

8. Sri Debbad Raj Kumar, S/o Late Debbad Visweshwar Rao, Age 59 years, H.No.5-9-30/1/10 Road No.2, Baseerbagh, Hyderabad.
9. Sri Debbad Vinay Kumar, S/o Late Debbad Visweshwar Rao, Age 58 years, H.No.5-9-30/1/10 Road No.2, Baseerbagh, Hyderabad.
10. Smt Vijaya Lakshmi, D/o Late Debbad Visweshwar Rao, Age 57 years, H.No.5-9-30/1/10 Road No.2, Baseerbagh, Hyderabad.

Respondent Nos. 6 to 10 rep by their GPA holder Sri Lingala Jaya Reddy, aged about 64 years, Occupation. Business, R/o Villa No.702/A, Istana Homes, Gandipet Ranga Reddy District.

11. Sri Lingala Jaya Reddy, aged about 64 years, Occupation. Business, R/o Villa No.702/A, Istana Homes, Gandipet, Ranga Reddy District.

**...RESPONDENT Nos.2 to 11/RESPONDENT Nos.1 to 10**

**IA NO: 3 OF 2024**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend orders dated 02.05.2024 passed in W.P.No.30193 of 2023 pending disposal of this Writ Appeal.

**Counsel for the Appellants: SRI P. SRI RAGHU RAM, SR. COUNSEL REP. FOR SRI VASIRAJU KALKI CHARAN**

**Counsel for the Respondent No.1: SRI D. PRAKASH REDDY, SR. COUNSEL REP. FOR SRI D. JAGAN MOHAN REDDY**

**Counsel for the Respondent No.2 to 5: GP FOR REVENUE**

**Counsel for the Respondent No.6 to 11: SRI B. BHARATH REDDY**

**The Court delivered the following: JUDGMENT**

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE  
AND  
THE HON'BLE SRI JUSTICE J. SREENIVAS RAO**

**WRIT APPEAL No.1017 of 2024**

**JUDGMENT:** (per the Hon'ble the Chief Justice Alok Aradhe)

Mr. P. Sri Raghu Ram, learned Senior Counsel represents Mr. Vasiraju Kalki Charan, learned counsel for the appellants.

Mr. D. Prakash Reddy, learned Senior Counsel represents Mr. D. Jagan Mohan Reddy, learned counsel for respondent No.1.

2. This intra court appeal is filed against an order dated 02.05.2024 passed in Writ Petition No.30193 of 2023 by which order dated 06.10.2023 passed by the District Collector granting succession certificate in favour of respondent Nos.6 to 11 has been set aside and it has been observed that the order passed by the learned Single Judge shall not preclude respondent Nos.6 to 11 from approaching the competent civil Court to challenge the sale deed dated 19.10.2022 executed in favour of respondent No.1 by raising all the grounds.

3. Learned Senior Counsel for the appellants submits that the District Collector had exercised the jurisdiction in excess and therefore, the learned Single Judge has rightly set aside the order dated 06.10.2023 passed by the District Collector. However, after setting aside the order dated 06.10.2023 passed by the District Collector, liberty ought to have been granted to the appellants to take recourse to the statutory remedy which is available to the appellants under the law. In support of aforesaid submission, following passage from Administrative Law, 11<sup>th</sup> Edition, by Professor Wade, has been commended to us.

“Judicial review is thus a fundamental mechanism for keeping public authorities within due bounds and for upholding the rule of law. Instead of substituting its own decision for that of some other body, as happens when on appeal, the court on review is concerned only with the question whether the act or order under attack should be allowed to stand or not. If the Home Secretary revokes a television licence unlawfully, the court may simply declare that the revocation is null and void. Should the case be one involving breach of duty rather than excess of power, the question will be whether the public authority should be ordered to make good a default. Refusal to issue a television licence to someone entitled to have one would be remedied by an order of the court requiring the issue of the licence. If administrative action is in excess of power (*ultra vires*), the court has only to quash it or declare it unlawful (these are in effect the same thing) and then no one need pay any attention to it. The minister or tribunal or other

authority has in law done nothing, and must make a fresh decision.”

5. We have heard the learned Senior Counsel for the parties.

6. The order dated 02.05.2024 passed in Writ Petition No.30193 of 2023 has already been upheld by a Division Bench of this Court in Writ Appeal No.888 of 2024 vide judgment dated 31.07.2024. Consistency in the orders passed by this Court needs little emphasis. For the reasons assigned by a Division Bench of this Court in the judgment dated 31.07.2024 in Writ Appeal No.888 of 2024, this Writ Appeal fails and is hereby dismissed.

Miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

//TRUE COPY//

SD/-B. SATYAVATHI  
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. One CC to SRI VASIRAJU KALKI CHARAN Advocate [OPUC]
2. One CC to SRI D. JAGAN MOHAN REDDY, Advocate [OPUC]
3. One CC to SRI B. BHARATH REDDY, Advocate [OPUC]
4. Two CCs to GP FOR REVENUE, High Court for the State of Telangana.  
[OUT]
5. Two CD Copies  
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**HIGH COURT**

**DATED:10/09/2024**



**JUDGMENT**

**WA.No.1017 of 2024**

**DISMISSING THE WRIT APPEAL  
WITHOUT COSTS**

*Expies*  
*Sm*  
*19/9/24*