

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE FIFTH 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: 1043 OF 2024

Writ Appeal under clause 15 of the Letters Patent Against the Order dated 13-06-2024 in WP.No.14871 of 2024 on the file of the High Court.

Between:

1. Rajender Reddy, S/o. Durga Reddy, Aged about 50 years, Occ. Agriculture, R/o Komatpally Village, Ramayanpet Mandal, Medak District.
2. Erram Yadagiri, S/o Pochaiiah, aged about 45 years, Occ. Agriculture, R/o Goliparthi Village, Ramayanpet Mandal, Medak District.
3. Pattari Vasu, S/o Narsiinlu, Aged about 51 years, Occ. Agriculture, R/o Ramayanpet Village, Ramayanpet Mandal, Medak District.
4. Erram Parvatham, W/o Pochaiiah, Aged about 60 years, Occ. Agriculture, R/o Goliparthi Village, Ramayanpet Mandal, Medak District.
5. Boggula Siddaramulu, S/o Rajaiah, Aged about 44 years, Occ. Agriculture, R/o Goliparthi Village, Ramayanpet Mandal, Medak District.

...APPELLANTS

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department (Land Acquisition), Secretariat, Secretariat Building, Hyderabad.
2. The District Collector, Medak, Medak District.
3. The Revenue Divisional Officer, Medak Division, Medak District.
4. The Tahsildar, Ramayanpet Mandal, Medak District.
5. The Superintendent Engineer, National Highway Authority of India, Bowenpally, Hyderabad.
6. Domakonda Venkat, S/o Illaiah, Aged about 45 years, Occ. Realtor, R/o Ramayanpet Village, Ramayanpet Mandal, Medak District.
7. Thota Bhikshapathy, S/o Balaiah, Aged about 53 years, Occ. Business, R/o Ramayanpet Village, Ramayanpet Mandal, Medak District.
8. Venkatesham, S/o Pandu, Aged about 42 years, Occ. Business, R/o Ramayanpet Village, Ramayanpet Mandal, Medak District.

9. Thannela Venkata Ramana Kumar, S/o Venkateshwaralu, Aged about 53 years, Occ. Business, R/o Ramayanpet Village, Ramayanpet Mandal, Medak District.

...RESPONDENTS

**IA NO: 1 OF 2024**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondent No.2 to 5 to consider the representation of the petitioners dated 28.12.2023, 08.01.2024, 22.02.2024, 26.2.2024 and to take the necessary action against the illegal occupation of the respondent Nos.6 to 9 on government land and National High Authorities land and to allow the petitioners to reuse the pathway in Sy.No.1421 of Ramayanpet Village and Mandal, Medak District.

**Counsel for Appellant : SRI RAPOLU ABHINAV, rep., SRI RAPOLU BHASKAR**

**Counsel for the Respondents No.1to4 : SRI MURALIDHAR REDDY KATRAM,  
ASST. GP FOR REVENUE**

**Counsel for the Respondents No.5 : --**

**Counsel for the Respondents No.6to9 : --**

**The Court made the following: JUDGMENT**

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

Writ Appeal No.1043 of 2024

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

Mr. Rapolu Abhinav, learned counsel represents  
Mr. Rapolu Bhaskar, learned counsel for the appellants.

Mr. Muralidhar Reddy Katram, learned Government  
Pleader for Revenue Department appears for respondents  
No.1 to 4.

2. Heard on the question of admission.
3. This intra court appeal is filed against order dated 13.06.2024, passed by a learned Single Judge, by which the writ petition preferred by the appellants *viz.*, W.P.No.14871 of 2024, has been dismissed.
4. Facts giving rise to filing of this appeal briefly stated are that the appellants had filed the aforesaid writ petition

seeking a direction to the District Collector, Revenue Divisional Officer and Tahsildar of Medak District and the Superintendent Engineer, National Highway Authority of India (respondents No.2 to 5) to consider the representation submitted by the appellants and take necessary action against the illegal occupation of land by respondents No.6 to 9. The appellants had also sought the permission to permit them to use the pathway in Survey No.1421 of Ramayanpet Village and Mandal, Medak District. The learned Single Judge has dismissed the aforesaid writ petition *inter alia* on the ground that the claim made by the appellants requires adjudication of factual aspects and the Collector in exercise of powers under the Telangana Rights in Land and Pattadar Passbooks Act, 2020 cannot adjudicate the factual contentions and the claim made by the appellants in the writ petition. The appellants were granted the liberty to

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10/10/2020

approach the competent jurisdictional civil Court for redressal of their grievance. Hence, this appeal.

5. We have heard learned counsel for the appellants.
6. Admittedly, there is no legal provision under which the representation submitted by the appellants and the grievance made therein can be adjudicated by the Collector. In the absence of any statutory right, the prayer as sought for by the petitioner in the writ petition cannot be granted.
7. We do not find any ground to interfere with the impugned order passed by the learned Single Judge.
8. However, it is needless to state that the appellants shall be at liberty to take recourse to such remedy as may be available to them in law.

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9. In the result, the Writ Appeal is dismissed. No costs.

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

SD/-T. KRISHNA KUMAR  
DEPUTY REGISTRAR

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SECTION OFFICER

To,

1. One CC to SRI RAPOLU BHASKAR, Advocate. [OPUC]
2. Two CCs to GP FOR REVENUE, High Court for the State of Telangana. [OUT]
3. Two CD Copies.  
BSK  
BS

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HIGH COURT

DATED:05/09/2024



JUDGMENT

WA.No.1043 of 2024

DISMISSING THE WRIT APPEAL  
WITHOUT COSTS

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By  
30/9/24