

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

**MONDAY, THE FIFTEENTH DAY OF JULY
TWO THOUSAND AND TWENTY FOUR**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SHRI JUSTICE ANIL KUMAR JUKANTI**

I.A. Nos. 1 and 2 of 2022 in W.A. No. 791 of 2022

and Writ Appeal Nos: 791 OF 2022 and 242 of 2019

WRIT APPEAL NO.791 OF 2022

Writ Appeal under clause 15 of the Letters Patent Preferred Against the Order Dated 14/09/2018, in W.P. No. 26399 of 2007 on the file of the High Court.

Between:

Mudavath Shiva, S/o: Late China Laxman, Aged 76 years, Occ. Agriculture, R/o. 3-21, Dawoodguda Thanda Phulmamidi Village, Kandukur Mandal, Ranga Reddy District.

...APPELLANT

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat Hyderabad.
2. The Revenue Divisional Officer, East Division, Ranga Reddy District.
3. M Rama Krishnam Raju, S/o: Surapa Raju, Aged Major Residents, Phulmamidi Village, Kandukur Mandal, Ranga Reddy District.
4. M Surapa Raju, S/o: Rama Raju, Aged Major resident, Phulmamidi Village, Kandukur Mandal, Ranga Reddy District.
5. M Savitri Devi, W/o: Surapa Raju Aged Major resident, Phulmamidi Village, Kandukur Mandal, Ranga Reddy District.
6. M Satyanarayana Raju, S/o: Surapa Raju, Aged Major resident, Phulmamidi Village, Kandukur Mandal, Ranga Reddy District.
7. M Uma Rajeshwari, W/o: M R K Raju, Aged Major resident, Phulmamidi Village, Kandukur Mandal, Ranga Reddy District.
8. Kola Krishna Murthy, S/o: Venkanna Aged Major resident, Phulmamidi Village, Kandukur Mandal, Ranga Reddy District.
9. Mudavath Tharya, S/o: Late Chinna Laxman, Age about 65 years, Occ. Agriculture, R/o Dawoodguda Thanda, Phulmamidi Village, Kandukur Mandal, Ranga Reddy District.

...RESPONDENTS

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant leave to the petitioner to file Appeal against the order dated 14/09/2018 in W.P.No. 26399 of 2007, in the interest of justice.

IA NO: 2 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to condone the delay of (1506) days in filing the above W.A. in W.P.No. 26399 of 2007 order dated 14/09/2018,

IA NO: 4 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of order passed by the 2nd respondent dated 30/09/1993 in file No. J/4529/1993, pending disposal of the above Writ Appeal

IA NO: 5 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to be Pleased to permit the Petitioner/Appellant to file this additional affidavit in IA 2 of 2022 in W.A.No.791 of

Counsel for the Appellant: SRI VEDULA SRINIVAS

**Counsel for the Respondent Nos.1 and 2: SRI MURALIDHAR REDDY KATRAM,
GP FOR REVENUE**

**Counsel for the Respondent Nos.3 and 7: SRI V. YADU KRISHNA SAINATH,
LEARNED COUNSEL APPEARS FOR MS. K. KIRANMAYEE**

Counsel for the Respondent Nos.4,5,8 and 9:----

WRIT APPEAL NO: 242 OF 2019

Writ Appeal under clause 15 of the Letters Patent preferred against the order dated 14.09.2018 in W.P.No. 26399 of 2007 on the file of the High Court.

Between:

Mudavath Tharya, Mudavath Tharya, S/o.Late Chinna Laxman, Aged 62 years, Occ: Agriculture, R/o.Dawoodguda Thanda, Phulmamidi Village, Kandukur Mandal, Ranga Reddy District.

...APPELLANT/WRIT PETITIONER

AND

1. The State of Telangana, Rep.by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The Revenue Divisional Officer, East Division, Ranga Reddy District.
3. M.Rama Krishnam Raju, S/o.Surapa Raju, Aged- Major residents of Phulmamidi Village, Kandukur Mandal, Ranga Reddy District.
4. M.Surapa Raju, S/o.Rama Raju, Aged-Major resident of Phulmamidi Village, Kandukur Mandal, Ranga Reddy District.
5. M.Savitri Devi, W/o.Surapa Raju, Aged- Major resident of Phulmamidi Village, Kandukur Mandal, Ranga Reddy District.
6. M.Satyanarayana Raju, S/o.Surapa Raju, Aged- Major resident of Phulmamidi Village, Kandukur Mandal, Ranga Reddy District.
7. M.Uma Rajeshwari, W/o.M.R.K.Raju, Aged- Major resident of Phulmamidi Village, Kandukur Mandal, Ranga Reddy District.
8. Kola Krishna Murthy, S/o.Venkanna, Aged- Major resident of Phulmamidi Village, Kandukur Mandal, Ranga Reddy District.

...RESPONDENTS

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to recall the Order, dt: 06/01/2022 in W.A No 242 of 2019.

IA NO: 2 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to permit filing of additional affidavit in WA No. 242 of 2019.

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 implead the petitioner herein as proposed Respondent No.9 in WRIT APPEAL No.242 of 2019, as well as in the IA's.

**Counsel for the Appellant: A. VENKATES, LEARNED SENIOR COUNSEL
APPEARS FOR SRI ARUVA RAGHURAM MAHADEV**

Counsel for the Respondent Nos.1 and 2: GP FOR REVENUE

**Counsel for the Respondent Nos.3 to 7: SRI V. YADU KRISHNA SAINATH,
LEARNED COUNSEL APPEARS FOR MS. K. KIRANMAYEE**

Counsel for the Respondent No.8:----

The Court Delivered the following: COMMON JUDGMENT

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SHRI JUSTICE ANIL KUMAR JUKANTI

I.A.Nos.1 and 2 of 2022 in W.A.No.791 of 2022
and Writ Appeal Nos.791 of 2022 and 242 of 2019

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

Mr. Vedula Srinivas, learned Senior Counsel appears for the appellant in W.A.No.791 of 2022.

Mr. A.Venkatesh, learned Senior Counsel appears for Mr. A.Raghuram, learned counsel for the petitioner in W.A.No.242 of 2019.

Mr. Muralidhar Reddy Katram, learned Government Pleader for Revenue appears for respondents No.1 and 2.

Mr. V.Yadu Krishna Sainath, learned counsel appears for Ms. K.Kiranmayee, learned counsel for respondents No.3 and 7.

2. These intra court appeals have been filed against order dated 14.09.2018, passed by a learned Single Judge in W.P.No.26399 of 2007.

3. I.A.No.2 of 2022 is filed seeking to condone the delay of 1506 days in filing the appeal.

4. Learned Senior Counsel for the appellants submit that the appellant in W.A.No.791 of 2022 was not impleaded as party in the writ petition. Hence, I.A.No.1 of 2022 has been filed seeking leave to file the appeal.

5. It is further submitted that in pursuance of the order dated 14.09.2018, passed in W.P.No.26399 of 2007, the sister of the appellants has filed an appeal before the Joint Collector, Ranga Reddy District, and the appellants be granted liberty to make applications for their impleadment in the aforesaid appeal preferred by their sister.

6. The aforesaid submission has not been fairly opposed by learned counsel for respondents No.3 and 7.

7. In view of aforesaid submission and in the facts and circumstances of the case, we permit the appellants to file an

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application seeking their impleadment in the proceeding pending before the Joint Collector, Ranga Reddy District *viz.*, F1/2531/2023.

8. Needless to state that in case such applications are filed, the same shall be dealt with in accordance with law.

9. Accordingly, both the Writ Appeals as well as I.A.Nos.1 and 2 of 2022 in W.A.No.791 of 2022 are disposed of. No costs.

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

SD/- T. KRISHNA KUMAR
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, The State of Telangana, Secretariat Hyderabad.
2. The Revenue Divisional Officer, East Division, Ranga Reddy District.
3. One CC to Sri Vedula Srinivas, Advocate [OPUC]
4. One CC to Sri V. Raghuram, Advocate[OPUC]
5. One CC to Sri Ms. K.Kiranmayee, Advocate[OPUC]
6. Two CCs to GP for Revenue , High Court for the State of Telangana, at Hyderabad [OUT]
7. Two CD Copies

TJ
GJP

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HIGH COURT

DATED:15/07/2024



COMMON JUDGMENT

**I.A. Nos. 1 and 2 of 2022 in W.A. No. 791 of 2022
and Writ Appeal Nos: 791 OF 2022 and 242 of 2019**

DISPOSING OF THE BOTH WRIT APPEAL AND

I.A. Nos.1 and 2 of 2022.

WITHOUT COSTS

*(10) Copies
Sms
7/10/24*