

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

MONDAY, THE TWENTY THIRD DAY OF DECEMBER  
TWO THOUSAND AND TWENTY FOUR

**PRESENT**

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

**WRIT APPEAL NO: 1036 OF 2024**

Writ Appeal under clause 15 of the Letters Patent Writ preferred against the Order dated. 03/05/2024, in W.P No. 18022 Of 2008 and Pass on the file of the High Court.

**Between:**

1. Gajula Laxmaiah, S/o. Late Veeraiah, Aged 83 years, Occ. Agriculture, R/o. Pokalagudem Village, Chandragonda Mandal, Khammam District.
2. Gajula Venkateswar Rao, S/o. Late Krishnamurthy, Aged 41 years, Occ. Agriculture, R/o. Pokalagudem Village, Chandragonda Mandal, Khammam District.

**...APPELLANTS/PETITIONERS**

**AND**

1. The State of Telangana, rep. by its Principal Secretary, Tribal Welfare Department, Secretariat, Hyderabad.
2. The Additional Agent to Government, Khammam.
3. The Special Deputy Collector Tribal Welfare, Bhadrachalam, Khammam.
4. The Tahsildar, Chandragonda Mandal, Khammam.

**...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 stay dispossession of the Appellants herein from the subject-matter land admeasuring Ac.7-08 gts in Sy No. 11A, 1 IAA situate at Pokalagudem Village, Chandragonda Mandal, Khammam pending disposal of the Writ Appeal, in the interest of justice

**Counsel for the Appellants: SRI K. PAVAN KUMAR, REPRESENTING  
SRI KASIBHATLA SAAKETH**

**Counsel for the Respondents 1 TO 4: GP FOR SOCIAL WELFARE**

**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.1036 of 2024**

**JUDGMENT:** *(Per the Hon'ble Sri Justice J.Sreenivas Rao)*

This intra court appeal is filed against the common order dated 03.05.2024 passed by the learned Single Judge by which Writ Petition No.18022 of 2008 preferred by the appellants has been dismissed.

2. Heard Sri K.Pavan Kumar, learned counsel representing Sri K.Saketh, learned counsel appearing on behalf of the appellants and learned Government Pleader for Social Welfare appearing on behalf of respondent Nos.1 to 4.

3. **Brief facts of the case:**

3.1. The claim of the appellants is that they are in possession of the property to an extent of Ac.7-08 gts in Sy.No.11/A, AA, situated at Pokalagudem Village,

Chandragonda Mandal, Khammam District and their grandmother, namely Smt.Seetharavamma, acquired the said property through sale document dated 18.05.1967. While so, respondent No.3 initiated proceedings against appellant No.1 exercising the powers conferred under Andhra Pradesh Scheduled Areas Land Transfer Regulation 1 of 1959 r/w Regulation 1/70 in respect of part of the subject property which is under the possession of appellants, and after enquiry, respondent No.3 dropped the proceedings, by its order dated 20.05.1983. Thereafter, respondent No.3 once again initiated and dropped the proceedings on 13.12.1995.

3.2. While things stood thus, one Islavath Ramulu had filed an appeal before respondent No.2 in CMA No.6 of 1996 seeking to set aside the order passed by respondent No.3 on 13.12.1995 and the said appeal was allowed on 18.12.2001. Aggrieved by the same, the appellants have filed revision petition before respondent No.1 and the same was dismissed on 19.07.2008. Thereupon, the appellants

have filed W.P.No.18022 of 2008 before this Court and the learned Single Judge dismissed the same on 03.05.2024. Thus, aggrieved by the said order, appellants have filed the present writ appeal.

4. **Submissions of learned counsel for the appellants:**

4.1. Learned counsel for the appellants submitted that the learned Single Judge, without assigning any reasons, extracted the orders of respondent Nos.1 and 2 and contentions of respective parties, dismissed the writ petition and confirmed the order passed by respondent No.1 dated 19.07.2008. He further submitted that the learned Single Judge ought to have decided the matter on merits and requested this Court to remit the matter to the learned Single Judge for fresh adjudication.

5. **Submissions of learned Assistant Government Pleader for respondents:**

5.1 Learned Assistant Government Pleader has not opposed the above submission.

**Analysis of the case:**

6. Having considered the rival submissions made by respective parties and after perusal of the impugned order passed by the learned Single Judge and other material available on record, it reveals that the learned Single Judge dismissed the writ petition, without considering the contentions/grounds raised by the appellants and without assigning reasons, and confirmed the order passed of respondent No.1 dated 19.07.2008. Hence, this Court is of the considered view that the learned Single Judge ought to have decided the matter on merits by giving reasons and it requires reconsideration by the learned Single Judge.
7. For the foregoing reasons, the impugned order passed by the learned Single Judge dated 03.05.2024 in W.P.No.18022 of 2008 is set aside and the matter is remitted to the learned Single Judge for fresh adjudication.
8. Accordingly, the writ appeal is disposed of. No costs.

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

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SD/- M. MANJULA  
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Tribal Welfare Department, Secretariat, The State of Telangana, Hyderabad.
2. The Additional Agent to Government, Khammam.
3. The Special Deputy Collector Tribal Welfare, Bhadrachalam, Khammam.
4. The Tahsildar, Chandragonda Mandal, Khammam.
5. One CC to Sri Kasibhatla Saaketh, Advocate [OPUC]
6. Two CCs to GP for Social Welfare, High Court for the State of Telangana, at Hyderabad [OUT]
7. Two CD Copies

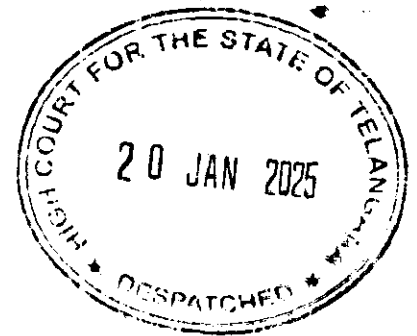
TJ  
GJP *Fr*

**HIGH COURT**

**DATED:23/12/2024**

**JUDGMENT**

**WA.No.1036 of 2024**



**DISPOSING OF THE WRIT PETITION  
WITHOUT COSTS**

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