

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

WEDNESDAY, THE TWENTY SIXTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN**

WRIT APPEAL NO: 1010 OF 2025

Writ Appeal under clause 15 of the Letters Patent appeal preferred against the order dated 14-05-2025 in W.P No. 140 of 2019 on the file of the High Court.

Between:

Gillela Laxmi, W/o Raji Reddy, aged 55 years, Occ. Agriculture, R/ o (Vill)
Katkoor, now (M) Akkannapet, Dist. Siddipet (old Karimnagar)- TS

...APPELLANT

AND

1. State of Telangana, Revenue dept, Secretariat rept by Prl Secretary, Hyderabad-TS
2. Dist- Collector, Siddipet (old Karimnagar) -TS
3. Revenue Divisional officer, Husnabad, Dist. Siddipet (old Karimnagar) -TS
4. Tahsildar, now (M) Akkannapet, now Siddipet (old Karimnagar) -TS
5. Executive Engineer, Rural Water Supply, Dist. Siddipet (old Karimnagar) -TS
6. Dy. Executive Engineer, Rural Water Supply, Husnabad, Dist. Siddipet- TS
7. Nayini Padma, D/o Nayini Pratap Reddy, aged 37 yrs, presently R/o (Vill 8v M) Timmapur, Dist. Karimnagar -TS

...RESPONDENTS

IA NO: 1 OF 2025

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 respondents to pay monthly pension to the petitioner from August 2025 being 1st wife, pending disposal of Writ Appeal

Counsel for the Appellant: SRI. K. M. MAHENDER REDDY
Counsel for the Respondent Nos. 1to6: SRI S. SATYANARAYANA RAO,
GP FOR SERVICES I

Counsel for the Respondent No.7: SRI K. MOHAN GOUD

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT APPEAL No.1010 of 2025

JUDGMENT:

Heard Sri K.M. Mahender Reddy, learned counsel for the appellant and Sri S. Satyanarayana Rao, learned Government Pleader for Services-I appears for respondent Nos.2 to 6.

2. The learned writ Court dismissed the writ petition on the grounds of delay and also since the validity of the marriage, allegations of bigamy and entitlement to succession benefits involved disputed questions of fact, requiring evidence which could not be adjudicated in the writ jurisdiction. Therefore, the prayer of the writ petitioner for issuance of a direction upon the official respondents not to issue any revenue records of rights, pass books, pahani in respect of certain survey numbers in favour of respondent No.7 at Katkur Village and further

direction to pay the pension to the writ petitioner alone in place of respondent No.7 was rejected.

3. Respondent No.7 being the nominee of the deceased employee got compassionate appointment on the death of her husband on 05.07.2010. The appellant by way of a memorandum of understanding dated 29.09.2010 waived any claim over the service benefits of the deceased stating that she is no way connected with the benefits and compassionate appointment. After eight years of issuance of family member certificate to respondent No.7, the appellant preferred the writ petition with the aforesaid prayers. The claim of the appellant was contested both by the official respondents and respondent No.7. Respondent No.7 also stated that she has filed O.S.No.352 of 2014 before the Additional Junior Civil Judge at Husnabad for declaring her as legally wedded wife of the deceased. Learned counsel for the appellant submits that the said suit has been dismissed for default.

4. The appellant is seeking the benefit of Rs.4,50,000/- received by respondent No.7 as agreed between the appellant and respondent No.7 for foregoing her claim to other service benefits and compassionate appointment.
5. The learned writ Court upon consideration of the entire materials placed on record by the parties refused to grant relief to the appellant on the aforesaid grounds.
6. In appeal, learned counsel for the appellant has reiterated the grounds urged and also stated that the appellant's claim for Rs.4,50,000/- by virtue of the memorandum of understanding entered into with respondent No.7 would be barred by delay in a regular suit before the civil Court.
7. We do not appreciate the plea urged for invoking the jurisdiction of the writ Court when such a claim would be barred before the civil Court on ground of delay. Moreover, as rightly observed by the learned writ Court since the petitioner has foregone any claim over the service benefits of the deceased by entering into a memorandum of

understanding with respondent No.7, such a claim cannot be adjudicated in writ proceedings and that too at such length of time. Therefore, we do not find any error in the impugned order.

8. The writ appeal is accordingly dismissed.

Miscellaneous applications pending, if any, shall stand closed.

SD/-A.V.S. PRASAD
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. K. M. MAHENDER REDDY, Advocate [OPUC]
2. Two CCs to GP FOR SERVICES I, High Court for the State of Telangana. [OUT]
3. One CC to SRI. K. MOHAN GOUD, Advocate [OPUC]
4. Two CD Copies

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HIGH COURT

DATED:26/11/2025



JUDGMENT

WA.No.1010 of 2025

DISMISSING THE WRIT PETITION WITHOUT COSTS

FMJ
4/12/25