

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

WEDNESDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

PRESENT

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

WRIT APPEAL NO: 195 OF 2026

Writ Appeal under clause 15 of the Letters Patent Preferred Against the Order dated. 20-11-2025, in WP.No.35305 of 2025. on the file of the High Court.

Between:

1. V.Manohar Rao, S/o Ananthaiah Aged about 85 years Occ . Senior Citizen, R/o H.No. 1-1/A/4, Sy.No.295, Mal lampet, Main Road, Dundigal-Gandimaisamma Mandal, Medchal - Malkajgiri District.
2. M/s ASPIRE SPACE Infra, LLP Office at H No 8-2-293/A/217/A/1,2 and 3 Road No 17 Jubilee Hills Hyderabad Rep by its Managing Partner T.V. Narsimha Reddy S/o T V Venkata Subbaiah Occ Business R/o H No 45-198 East Anand Bagh Near Andhra Bank NMDC colony Secunderabad.

...APPELLANTS/RESPONDENTS No.6 & 7

AND

1. M/S. SRL BUILDERS and DEVELOPERS, office at Plot No. 276, Raghavendra Colony, Kondapur Serilingampally Ranga Reddy district, rep. by its partners
 - i) Inturi Lakshmana Rao, S/o.Parvathalu Aged about 40 years, Oec. Business, R/o.H.No.1-83, Kancharagunta Kandukur Mandal, Prakasam District.
 - ii) Nalluri Sreenu S/o.Nalluri Ramaiah, Aged about 52 years, Occ. Business, R/o.H.No.1-111/B/276, Raghavendra Colony, Kandukur, Prakasam District.
2. Smt. Unnam Jyothi, W/o. Unnam Venkateswarlu, Aged about 46 years, Occ. House Wife, R/o.H.No.7-1-414/27, To 30, Flat No.603, Sai Dhamam Apts., Srinivas Colony, East Lane, Ameerpet, Hyderabad. - 500016.
3. Ponnaganti Venkateswarlu, S/o Kotaiah, Aged 52 years, Occ. Business, R/o H.No.1-45 Edlurupadu village, Jarugumalli Mandal, Prakasam district.- 523260.
4. Gurram Venkata Narendra, S/o Venkateswarlu, Aged 26 years, occ. Business, R/o Plot No. 201-60/1, Kalidasu Vari veedhi, Kandukur, Prakasam district. - 523105.
5. Kothuri Venkata Subba Rao, S/o Lalshminarayana, Aged about 45 years, Occ. Business, R/o H.No. 3-97, Main Road, Near Water Tank, Pokuru, Prakasam district.- 523113.
6. Smt Narayana Padmaja, W/o. Venkateswarlu, Aged 47 years, Occ. House Wife R/o Puretipalle, Gudluru Mandal, Prakasam district.-523281.

7. Battini Bala Krishna, S/o Battini Malakondaiah, Aged about 42years, Occ. Business R/o H.No. -45 Singamanenipalli, Voletivaripalem, Prakasam district-523116.
8. Manohar V V Golla, S/o. Haribabu Golla, Aged about 31 years, Occ. Business, R/o H.No.20-2-30/1, Sahithi Chidhrens Hospital, Kalidasu vari Veedhi, Kandukur, Prakasam district-523105.
9. M/s Raja Developers and Builders, having Its office at Plot No. 182 and 183, Flat No. 504. Eenadu Heights, Eenadu society and colony, Kukatpally, Medchal Malkajgiri district.-500072 Rep.by its Managing partner Ramesh Inturi S/o Kondaiah Inturi, Aged 40 years, Occ. Business, R/o.H.No.5-19-1, Badevaripalem Village, Voletivaripalem Mandal Prakasam District.
10. Kamineni Papa Rao, S/o. late K.Raghavaiah, Aged about 71 years, Occ. Service, R/o H.No.1-121/HDT/C/106, Flat No. 106, Hemadurga Towers, C-block, Opp. Talkie Town, Miyapur, Hyderabad. -500049.
11. Smt. Arumalla Bhargavi, W/o. A.Venkateswara Reddy, Aged about 51 years, Occ. House Wife R/o H.No. 1-12/AL/502, Flat No. 502, Apple Lily, Nallagandla, Beside Nallagandla Flyover, Serilingampally, Ranga Reddy district.-500019.
12. Kamineni Papa Rao, S/o. late K.Raghavaiah, Aged about 71 years, Occ. Service, R/o H.No.1-121/HDT/C/106, Flat No. 106, Hemadurga Towers, C-block, Opp. Talkie Town, Miyapur, Hyderabad. -500049.
13. Davuluri Subba Rao, S/o D. Venkateswarlu, Aged 62 years, Occ. Business R/o Sakhavaram Village, Prakasam district.-523113.
14. Smt. R Swapna, W/o R.Sainath Goud, Aged about 38 years, Occ. House wife R/o H.No.8-3-105, 2nd Bazar, Secunderabad. -500003.
15. Lokesh Sriram Meka, S/o M.V.Rama Rao Chowdary, Aged about 29 years, Occ. Business R/o H.No.2-22-148/C, Plot No. 11, Near Hanuman Temple, Subhodaya colony, Kukatpally, Hyderabad. - 500072.
16. Nalluri Lakshmirajyam, W/o, Nalluri Sreenu, Aged about 48 years, Occ. House Wife, R/o. H.No. 1-111/B/276, Raghavendra colony Opp. RTA office Kondapur, Serilingampally, Ranga Reddy district. -500084.
17. Dacharla Hari Babu, S/o Thirupathaiah Aged about 39 years. Occ. Business R/o H.No. 1-52, Nukavartam Badevaripalem village, Voletivaripalem mandal. Prakasam district. - 523113.
18. Nalluri Subba Rao, S/o Peddakotaiah, Aged about 44 years, Occ. Business R/o H.No.5-41, Kancharagunta, Kandukur mandal, Prakasam district. - 523113
19. Inturi Lakshmana Rao, S/o Parvathalu, aged about 40 years, Occ. Business R/o H.No. 1-83 Kancharagunta, Kandukur Mandal, Prakasam district. - 523113.
20. Smt. Malleswari, W/o. D.Brahma Reddy, Aged about 48 years. Occ. House wife. F/o Kollipara village and Mandal. Guntur district. -522304.
21. Kolli Srinivas Reddy, S/o Kolli Venkateswara Reddy, Aged 41 years, Occ. Employee R/o Flat No. 203 Plot No. 40, Balaji Swarnapuri colony, Moti Nagar, Erragadda, Hyderabad. - 500018.
22. Gurram Naga Venkata Datadri, S/o Venkateswarlu aged 25 years, Occ. Business R/o H.No 201-60/1. Kalidasu vari St. Kandukur. Prakasam district. - 523105.
23. Inturi Ramesh, S/o Kondaiah Inturi, Aged 40 years, Occ. Business, R/o H.No. Flat NO.201 Plot No.115, K.P.H.B. Colony Medchal-Malkajgiri District.
24. Venkata Rama Rao Madala, S/o Late China Kondayya Madala, Aged about 70 years, Occ. Business R/o H.No. 1-8-629/100/2Rt, Prakashnagar, Begunpet, Hyderabad.- 500016.
25. Bathini Madhava Rao, S/o Bathini Veera Swamy, Aged 42years, Occ. Pvt. Employee R/o Badevaripalem village, Nekunampuram, Pokur, Prakasam district. -523113.
26. Venkata Kalyana Rao Vunnam, S/o Suraiah, Aged about 42 years, occ. Business R/o H.No. 2-45, Chouta palem, Prakasam District - 523 109.

27. Venkata Kalyana Rao Vunnam, S/o: Suraiah, Aged about 42 years, occ. Business R/o H.No. 2-45, Chouta palem, prakasam district. -523109.
28. Jesta Raveendra, S/o. Jesta Kotu, Aged about 40 years, Occ. Business, R/o.Flat No.103, Sai Pujitha Residency Community Hall Lane, AS Rajunagar Colony, Kukatpally, Hyderabad - 500 072.
29. A. Krishna Rao, S/o A. Singaiah Aged 45 years, Occ. Business R/o. H.No.5-38, Ippagunta Village Ramalayam Street, Ponnaluru Mandal, Prakasam District - 523 109.
30. Smt. Gurram Dhanalakshmi, W/o. Chinna Brahmaiah Aged about 52 years, Occ. House Wife R/o H.No .2-63, Dappalampadu, Gudluru Mandal, Prakasam District - 523 113.
31. Chalamalasetti Seshachalam, S/o Late Ch. A njaiah Aged 67 years, Occ. Business, R/o. H.No. 16-31-9, MIG-1, 188, 9th Phase, KPHB Colony, Kukatpally Hyderabad.-500085.
32. B.Onkarappa, S/o.Late B.Eswaraiah, Aged about 47 years, Occ. Business, R/o.Flat No.203, Sri Sai Nikethan, Opp. MNR school, Kukatpally, Hyderabad - 500 072.
33. Arikatla Srinivasa Rao, S/o Singaiah Aged about 47 years, Occ. Business, R/o H.No.5-38, Ippagunta Ponnaluru, Prakasam District - 523 109.

...RESPONDENTS/WRIT PETITIONERS

34. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Hyderabad.
35. The Commissioner and Director, Survey, Settlement and Land Records, Hyderabad.
36. The Dist. Collector, Medchal-Malkajgiri Dist.
37. The Dist. Collector, Sangareddy Dist.
38. The Hyderabad Metropolitan Development Authority, Swarnajayanthi Complex, Ameerpet, Hyderabad, Rep by its Commissioner.

...RESPONDENTS/RESPONDENTS 1 TO 5

IA NO: 2 OF 2026

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 order of learned Single Judge in WP No.35305/2025, dt. 20.11.2025, pending disposal of the Writ Appeal.

IA NO: 3 OF 2026

Between:

1. M/S. SRL BUILDERS and DEVELOPERS, office at Plot No. 276, Raghavendra Colony, Kondapur Serilingampally Ranga Reddy district, rep. by its partners
 - i) Inturi Lakshmana Rao, S/o.Parvathalu Aged about 40 years, Occ. Business, R/o.H.No.1-83, Kancharagunta Kandukur Mandal, Prakasam District.
 - ii) Nalluri Sreenu S/o.Nalluri Ramaiah, Aged about 52 years, Occ. Business, R/o.H.No.1-111/B/276, Raghavendra Colony, Kandukur, Prakasam District.
2. Smt. Unnam Jyothi, W/o. Unnam Venkateswarlu, Aged about 46 years, Occ. House Wife, R/o.H.No.7-1-414/27, To 30, Flat No.603, Sai Dhamam Apts., Srinivas Colony, East Lane, Ameerpet, Hyderabad. - 500016.
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33. Arikatla Srinivasa Rao, S/o Singaiah Aged about 47 years, Occ. Business, R/o H.No.5-38, Ippagunta Ponnaluru, Prakasam District - 523 109.

... PETITIONERS/RESPONDENTS

AND

1. V.Manohar Rao, S/o Ananthaiah Aged about 85 years Occ . Senior Citizen, R/o H.No.1-1/A/4, Sy.No.295, Mal lampet, Main Road, Dundigal-Gandimaisamma Mandal, Medchal - Malkajigiri District.
2. M/s ASPIRE SPACE Infra, LLP Office at H No 8-2-293/A/217/A/1,2 and 3 Road No 17 Jubilee Hills Hyderabad Rep by its Managing Partner T.V.

Narsimha Reddy S/o T V Venkata Subbaiah Occ Business R/o H No 45-198
East Anand Bagh Near Andhra Bank NMDC colony Secunderabad.

... RESPONDENTS No.6 & 7/APPELLANTS

3. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Hyderabad.
4. The Commissioner and Director, Survey, Settlement and Land Records, Hyderabad.
5. The Dist. Collector, Medchal-Malkajgiri Dist.
6. The Dist. Collector, Sangareddy Dist.
7. The Hyderabad Metropolitan Development Authority, Swarnajayanthi Comp ex, Ameerpet, Hyderabad, Rep by its Commissioner.

...RESPONDENTS/RESPONDENTS 1 TO 5

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 vacate the orders dated 02.03.2026 in W.A.No.35305 of 2025 and dismiss the Writ Appeal No.195 of 2026.

**Counsel for the Appellants: SRI VEDULA SRINIVAS, SENIOR COUNSEL FOR
SRI K.RAMA KRISHNA**

**Counsel for the Respondent Nos.1 TO 33: SRI G.MOHAN RAO, SENIOR
COUNSEL FOR SRI A.PRABHAKAR RAO**

Counsel for the Respondent Nos.34 TO 37: GP FOR REVENUE

**Counsel for the Respondent No.38: SRI V.SIDDHARTHA GOUD FOR
SRI V.NARASIMHA GOUD, SC FOR HMDA**

The Court made the following: JUDGMENT

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

**THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND**

THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT APPEAL No.195 of 2026

DATE:18.03.2026

Between:

V.Manohar Rao and another

....Appellants

And

M/s. SRL Builders & Developers and 37 others

....Respondents

JUDGMENT

Heard Sri Vedula Srinivas, learned Senior Counsel representing Sri K.Rama Krishna, learned counsel appearing for the appellants; Sri G.Mohan Rao, learned Senior Counsel representing Sri A.Prabhakar Rao, learned counsel appearing for respondent Nos.1 to 33; Sri V.Siddhartha Goud, learned counsel representing Sri V.Narasimha Goud, learned Standing Counsel for Hyderabad Metropolitan Development Authority (HMDA) (respondent No.38) and perused the record.

2. This writ appeal is preferred under Clause 15 of the Letters Patent, against the order dated 20.11.2025 passed by the learned Single Judge in W.P.Nos.35305 of 2025. By the said order, the learned Single Judge disposed of the writ petition at the admission

stage, without notice to the present appellants (respondent Nos.6 and 7 in the writ petition), and directed the District Collectors of Medchal-Malkajgiri and Sangareddy (respondents Nos.3 and 4 in the writ petition) to conduct a survey of two Villages namely - Mallampet and Bollaram for fixation of boundaries and to submit a detailed report in terms of a letter issued by the Commissioner & Director, Survey, Settlement and Land Records, dated 27.09.2025.

Factual matrix

3. The *lis* in the present case arises out of a dispute concerning the identity, location, and *inter se* overlap of certain survey numbers situated at the border of two villages, namely, Mallampet Village (presently falling within Medchal-Malkajgiri District) and Bollaram Village (presently falling within Sangareddy District). The respondent Nos.1 to 33 (arrayed as writ petitioners in the writ petition) assert ownership over plots carved out in Sy.Nos.81/2 and 297 of Bollaram Village, Jinnaram Mandal, Sangareddy District, admeasuring in all Ac.4.01 Gts. The appellants, on the other hand, claim right, title, and possession in respect of land admeasuring Ac.4.14 Gts in Sy.No.295 of Mallampet Village, Dundigal-Gandimaisamma Mandal, Medchal-Malkajgiri District, forming part of a larger extent.

4. The claim of title set up by the respondents (writ petitioners) is traced to a supplemental Sethwar allegedly issued during the years 1983-85 by the Assistant Director, Survey and Land Records, Medak

District, pursuant to proceedings of the District Collector in File No.C2/1506/83, whereby Sy.Nos.81/2 (Ac.0.25 Gts) and 297 (Ac.3.16 Gts) came to be created in Bollaram Village in favour of one Sara Narsimhulu and his brothers. It is their case that the said lands were subsequently alienated by the Sara family in favour of Ahmed Mohiuddin Khan under a registered sale deed dated 01.04.1985, and through successive conveyances, the predecessors-in-interest of the respondents herein acquired plots from P. Madhavi and others, who, in turn, derived title from the said Ahmed Mohiuddin Khan.

5. On the other hand, the appellants predicate their claim upon an original patta land in Sy.No.295 of Mallampet Village, which, according to them, finds consistent reflection in the revenue records, including pahanis, from the year 1961-62 onwards. It is their specific case that an extent of Ac.4.14 Gts out of the said survey number was conveyed by Madasu Venkatesham and others in favour of Md. Buran and others under a registered sale deed dated 30.08.1993 bearing Document No.6625/1993. Thereafter, in the year 2007, the said Md. Buran and his co-owners executed registered Agreements of Sale-cum-General Powers of Attorney (AGPAs) in favour of the appellants and their co-owners *vide* Document Nos.282 to 287 of 2007.

6. Further, the appellants including appellant No.1 have been in continuous and peaceful possession of the subject land, having raised a compound wall, cattle sheds, and having secured electricity

connections and municipal property tax assessments from the Dundigal Municipality. The possession of their predecessors is also stated to have been recognised by virtue of a decree of perpetual injunction dated 29.12.2008 in O.S.No.169 of 2008 on the file of the learned Principal Senior Civil Judge, Ranga Reddy District.

7. The respondents association had filed O.S.No.38 of 2008 before the Court of the Senior Civil Judge, Medak District, seeking perpetual injunction in respect of lands in Sy.Nos.81/2 and 297 of Bollaram Village. The said suit, however, came to be dismissed for default on 20.07.2010, and no further proceedings appear to have been pursued thereafter.

8. The dispute pertaining to the village boundary and alleged overlap of survey numbers had earlier engaged the attention of the survey authorities, culminating in joint surveys conducted by the Assistant Directors of Survey and Land Records of the then Medak and Ranga Reddy Districts. A joint spot inspection was carried out on 17.03.2008 followed by a joint panchanama dated 20.05.2008. The said exercise, as reflected from the record, concluded that the boundaries of Sy.No.81 of Bollaram Village and Sy.No.295 of Mallampet Village were intact and in consonance with the ground position. Significantly, it was recorded therein that the lands claimed under Sy.Nos.81/2 and 297 of Bollaram Village were not borne out by the village maps and were not found in existence on ground.

9. Subsequently, the Commissioner and Director, Survey, Settlement and Land Records, Telangana, by proceedings dated 27.09.2025 bearing Rc.No.F1/1631/2024, addressed to the District Collectors of Medchal-Malkajgiri and Sangareddy Districts, noted the existence of an apparent overlap issue between Sy.No.295 of Mallampet Village and Sy.Nos.81/2 and 297 of Bollaram Village, and called upon the said authorities to examine the matter and submit a comprehensive report.

10. In the backdrop of the aforesaid developments, the respondents instituted W.P.No.35305 of 2025 seeking a mandamus to direct the District Collectors to submit a detailed report in accordance with the said letter dated 27.09.2025, and to direct the HMDA not to issue building permissions to the appellants pending determination of the location of the survey numbers. The learned Single Judge, upon hearing the matter at the stage of admission and without issuing notice to the present appellants (respondent Nos.6 and 7 in the writ petition), disposed of the writ petition by directing the District Collectors to act upon the said proceedings dated 27.09.2025 and to conduct a comprehensive survey of the two villages, by fixing boundaries, issuing notice to all stakeholders, considering objections, and passing appropriate orders strictly in accordance with law.

11. Aggrieved by the said order the appellants has preferred the present writ appeal.

Submissions on behalf of the appellants

12. Learned Senior Counsel for the appellants, assailed the impugned order and has advanced his submissions as under:

- i) That the respondents approached the Court by suppressing the material facts, by not disclosing the joint surveys conducted in the years 1998 and 2008 by the competent survey authorities of the then concerned districts, which had conclusively determined the village boundaries. The said surveys are stated to have confirmed the existence of Sy.No.295 in Mallampet Village and the non-existence of Sy.Nos.81/2 and 297 of Bollaram Village on ground. It is further urged that the respondents suppressed the dismissal of their earlier suit in O.S.No.38 of 2008 and also failed to disclose that the appellants' predecessors had secured a decree of perpetual injunction in O.S.No.169 of 2008, thereby confirming their possession.
- ii) That the writ petition directly impinges upon the identity and existence of Sy.No.295 of Mallampet Village, in respect of which the appellants claim ownership and possession. However, despite being necessary and proper parties, the appellants were not afforded an opportunity of hearing. The learned Single Judge disposed of the writ petition at the stage of admission,

without issuing notice to the appellants herein, thereby violating the fundamental principles of natural justice.

- iii) That the dispute between the parties is essentially one relating to title and possession of immovable property, which falls squarely within the domain of the civil Court. The invocation of writ jurisdiction under Article 226 of the Constitution, for the purpose of directing a survey in the absence of any subsisting legal right, is stated to be wholly misconceived.
- iv) That the relief sought in the writ petition was limited to a direction to the District Collectors to submit a report in terms of the proceedings dated 27.09.2025. However, the learned Single Judge, while disposing of the writ petition, proceeded to direct a detailed and comprehensive survey, including issuance of notices to all interested parties and consideration of objections. According to the appellants, such directions travel beyond the scope of the relief sought and amount to prejudging the necessity and ambit of the proposed survey.
- v) That the respondents do not possess any registered title deeds or continuous revenue entries in respect of the alleged survey numbers. The very survey numbers relied upon by them are stated to be of recent origin, purportedly created in or around the year 1985, and are not reflected in the original village map of Bollaram Village. It is further contended that the respondents have never been in actual physical possession of the subject

land and that their claim is merely documentary and speculative. In such circumstances the writ petitioners, having approached the Court with unclean hands, were not entitled to any discretionary relief.

- vi) That the impugned order, if allowed to stand, would seriously prejudice and unsettle the vested rights of the appellants, who have been in peaceful and continuous possession of Sy.No.295 for over 15 years, as their claim is supported by a valid chain of title, a decree of a competent civil Court, and statutory recognitions, including permissions and land use certificates issued by the HMDA, which acknowledge the existence and identity of Sy.No.295.

Submissions on behalf of the respondents

13. Learned Senior Counsel for the respondents has supported the impugned order and has advanced his submissions as under:

- i) That the order passed by the learned Single Judge is purely procedural in nature, directing the revenue authorities to act upon the communication dated 27.09.2025 issued by the Commissioner & Director, Survey, Settlement and Land Records. The said order does not adjudicate upon or determine any substantive rights of the parties.
- ii) That the direction to conduct a survey, with notice to all interested parties, in fact ensures compliance with principles of

natural justice and affords the appellants an opportunity to present their case before the competent authorities. Thus, it is contended that no prejudice whatsoever is caused to the appellants.

- iii) That there exists a *bona fide* dispute regarding the precise location and identity of the survey numbers in question. Reliance is placed upon the proceedings dated 27.09.2025, wherein the Commissioner himself noted the existence of an apparent overlap between Sy.No.295 of Mallampet Village and Sy.Nos.81/2 and 297 of Bollaram Village. In view of such recorded ambiguity and conflicting positions, a fresh and comprehensive survey is stated to be necessary to resolve the dispute.
- iv) That the respondents have placed reliance upon the proceedings of the Commissioner, which themselves acknowledge the existence of a dispute. As regards the earlier joint surveys, it is contended that the same were conducted without issuing notice to the respondents or their predecessors-in-interest and, therefore, cannot bind them.
- v) That the learned Single Judge has merely directed the authorities to act in accordance with the already existing directions of the Commissioner, which was the very relief sought in the writ petition. The use of expressions such as "conduct survey of the two(2) Villages i.e., Mallampet and

Candimaisamma-Dundigul Mandal, Malkajgiri-Medchal District and Bollaram Village, Jinnaram Mandal, Sangareddy District meticulously by fixing boundaries, issuing notices to all the interested parties, considering objections if any raised by all the concerned parties, as expeditiously as possible, strictly in accordance with law, with the help of Village maps, Tonch maps and all other relevant material and upon taking into consideration the relevant circulars issued by the Commissioner, Survey, Settlements and Land Records, exercising powers under Telangana Survey and Boundaries Act, 1923 from time to time i.e., R.C.No.N1/6543/99, dated 25.07.2001, R.C.No.N1/1408/07, dated 13.07.2007 and R.C.No.N2/1741/2010, dated 18.05.2010 and pass appropriate orders" is stated to be only clarificatory in nature and does not expand or alter the scope of the relief granted.

14. We have taken note of the respective contentions urged and perused the material on record.

Consideration by this Court

15. Upon consideration of the material on record, it is clear that the dispute between the parties cannot be characterised as a mere administrative exercise relating to boundary demarcation. On the contrary, it pertains to competing claims of title and possession over immovable property, which have been the subject matter of prior

litigation as well as official surveys. The claim of the respondents (writ petitioners) is founded upon a supplementary sethwar of the year 1985, which, as borne out from the record, was itself placed in abeyance by the then Assistant Director, Survey and Land Records, Medak District, vide memo dated 29.06.1987, in view of an existing village boundary dispute. Further, the joint surveys conducted in the years 1998 and 2008 by the competent authorities of both districts have consistently recorded the existence of Sy.No.295 of Mallampet Village and the non-existence of Sy.Nos.81/2 and 297 of Bollaram Village as private patta lands.

16. It is also not in dispute that the title and possession of the appellants' predecessors have been recognised by a decree of perpetual injunction in O.S. No.169 of 2008, dated 29.12.2008, on the file of the learned Principal Senior Civil Judge, Ranga Reddy District, which has attained finality, there being no challenge thereto by the respondents or their predecessors-in-interest. Conversely, the suit instituted by the respondents-association in O.S.No.38 of 2008 came to be dismissed for default. Therefore, these proceedings lend finality to the respective claims as they stood.

17. In the aforesaid backdrop, the filing of the underlying writ petition seeking a fresh survey, in effect, amounts to an attempt to reopen issues which have already attained finality, both administratively and judicially. Such recourse, in our view, is

impermissible in exercise of jurisdiction under Article 226 of the Constitution of India. The appropriate remedy, if any, available to the respondents is to approach the competent civil Court by duly challenging the earlier surveys and the decree relied upon by the appellants.

18. It is to be noted that the writ petition was filed on 17.11.2025 and was disposed of by the learned Single Judge on 20.11.2025, and it is evident from the record that no notice was issued to the appellants prior to the passing of the impugned order. Though the order reflects the appellants arrayed as respondent Nos.6 and 7, there is nothing to indicate that they were heard or afforded any opportunity of placing their case. It is a well-settled and cardinal principle of natural justice that no order adverse to a party can be passed without affording such party a reasonable opportunity of being heard. In the case on hand, the impugned order, though couched as a procedural direction, directly impacts the rights of the appellants, inasmuch as it mandates a survey in respect of the very land over which they assert ownership and possession. Such a direction carries the potential to unsettle their asserted possession and title, particularly when earlier surveys are stated to have attained finality.

19. On perusal of the affidavit in the underlying writ petition it is evident that the respondents have remained conspicuously silent on

several material facts, which have a direct bearing on the adjudication of the controversy. Notably, there is no disclosure with regard to:

- i. The joint surveys conducted in the years 1998 and 2008, along with the panchanamas, which are stated to have conclusively demarcated the boundaries between Mallampet and Bollaram Villages;
- ii. The decree dated 29.12.2008 in O.S.No.169 of 2008 in favour of the appellants' predecessors, recognising their title and possession over Sy.No.295;
- iii. The dismissal for default of O.S.No.38 of 2008 instituted by the respondents' association;
- iv. The absence of Sy.Nos.81/2 and 297 of Bollaram Village in the authentic village map, as well as their non-reflection in the HMDA Master Plan, as asserted by the appellants; and
- v. The public notice issued by the appellants in Eenadu daily dated 04.01.2008 cautioning against encroachments, to which no objection was raised by the respondents for over a period of 15 years.

The omission to disclose the aforesaid facts, in our considered view, amounts to suppression of material particulars and results in presentation of an incomplete and misleading case before the Court. It is trite law that a litigant invoking the extraordinary

jurisdiction of this Court under Article 226 of the Constitution must approach with clean hands. Suppression of such vital facts disentitles the respondents from claiming any equitable or discretionary relief.

20. Further, it is also evident that the relief sought in the writ petition was confined to a direction to the District Collectors to submit a report in terms of the proceedings dated 27.09.2025. However, the learned Single Judge, while disposing of the writ petition, proceeded to issue a much wider direction, mandating the authorities to conduct survey of the two villages meticulously by fixing boundaries, issuing notices to all the interested parties, considering objections, with the aid of village maps, tonch maps and other relevant material, and upon taking into account the applicable circulars, to pass appropriate orders. The said direction, in our view, travels beyond the scope of the relief sought and, in substance, amounts to ordering a fresh and comprehensive survey.

21. It is to be noted that such an exercise, particularly in the absence of any determination as to the necessity thereof, and without examining whether earlier surveys had attained finality, was not warranted. More importantly, the same was directed without affording an opportunity of hearing to the appellants, whose rights stand directly affected. Therefore, the learned Single Judge fell into error in granting relief beyond the prayer and in the absence of adherence to the principles of natural justice.

Conclusion

22. In the result, the writ appeal is allowed. The order dated 20.11.2025 passed by the learned Single Judge in W.P.No.35305 of 2025 is set aside, and consequently, W.P.No.35305 stands dismissed. The interim order dated 02.03.2026 in the writ appeal shall stand vacated. There shall be no order as to costs.

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

SD/-K. SRINIVASA RAO
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Revenue Department, Secretariat Buildings, Hyderabad, State of Telangana.
2. The Commissioner and Director, Survey, Settlement and Land Records, Hyderabad.
3. The Dist. Collector, Medchal-Malkajgiri Dist.
4. The Dist. Collector, Sanga Reddy Dist.
5. The Commissioner, Hyderabad Metropolitan Development Authority, Swarnajayanthi Complex, Ameerpet, Hyderabad.
6. One CC to SRI K.RAMA KRISHNA, Advocate [OPUC]
7. One CC to SRI A.PRABHAKAR RAO, Advocate [OPUC]
8. One CC to SRI V.NARASIMHA GOUD, SC FOR HMDA [OPUC]
9. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad. [OUT]
10. Two CD Copies

PSK./PMK

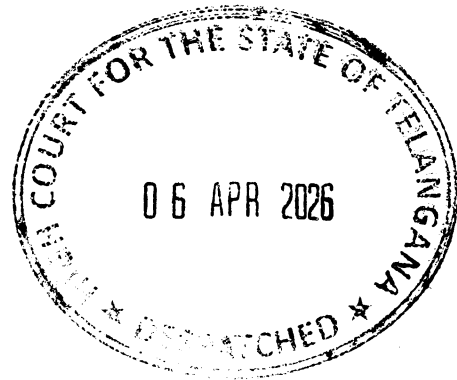
[Signature]

HIGH COURT

DATED:18/03/2026

JUDGMENT

WA.No.195 of 2026



ALLOWING THE WRIT APPEAL
WITHOUT COSTS

(13)

lpr
6/4/26