

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

THURSDAY, THE SEVENTEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND**

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

WRIT APPEAL NO: 400 OF 2017

Writ Appeal under clause 15 of the Letters Patent preferred against the order dt. 17.02.2017 in WP.No. 22838 of 2015 on the file of the High Court.

Between:

1. Smt. Buchamma W/o. Kanakappa, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
2. Smt. Masamma, W/o. Gopal,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
3. Smt. Lachamma, W/o. Kanakappa,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
4. Smt. Laxamma, W/o. Nagaiah,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
5. Smt. Laxamma, W/o. Babu,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
6. Smt. Mangamma, W/o. Kondaiah,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
7. Smt. Alivelu, W/o. Kondaiah,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
8. Smt. Chennamma, W/o. Buddanna,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.

9. Smt. Prameela, D/o. Shiva,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
10. Smt. Buchamma, W/o. Venkat,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
11. Smt. Ramulamma, W/o. Govindu,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
12. Smt. Venkatamma, W/o. Kondanna,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
13. Smt. Anjamma, W/o. Balaiah,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
14. Smt. Niranjanamma, W/o. Venkataswamy,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
15. Smt. Babitha, W/o. Babulal,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
16. Smt. Santhamma, W/o. Satyanarayana,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
17. Smt. Saroja, W/o. Naganna,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
18. Smt. Sarada, W/o. Balraj,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
19. Smt. Sailaja, W/o. Bhanu,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
20. Smt. P. Jyothi, W/o. Anand Rao,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
21. Smt. A. Rajanna W/o. A. Prakash Rao,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
22. Smt. B. Shobharani, W/o. B. Raju,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
23. Smt. M. Kamalamma, W/o. M. Laxmanna,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
24. Smt. Bamini, W/o. Late Dasru,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.

25. Smt. Kanakalaxmi, W/o.Late Srimannarayana,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
26. Smt. Sara Begum, W/o.Mujju,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
27. Smt. B. Seshuvulu, W/o. Harijan,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
28. Smt. N.Devi, W/o. Pakeera,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
29. Smt. K. Yellamma, W/o. K. Saraiah,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
30. Smt. P. Satyamma, W/o.P. Bakkaiah,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
31. Smt. K. Laxmi, W/o. K. narasimha ,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
32. Smt. A. Nirmala, W/o.A. Ramesh,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
33. Smt. P. Mallik, W/o.P. Ramesh Babu,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
34. Smt. N. Rajamma, W/o. N. Mallesh,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
35. Smt. P.Kanakalaxmi, W/o.P.Somayya,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
36. Smt. R.Sundari, W/o. R.Santhosh,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
37. Smt. Varalakshmi, W/o. Srinu,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
38. Smt. C. Buchamma, W/o. C. Chennaiah,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
39. Smt. K. Anjamma, W/o K. Samuel,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
40. Smt. Bali, W/o. Lakshman,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.

41. Smt. K. Someswari, W/o. Pentoji Rao,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
42. Smt. Md. Goribee, W/o. Late Md. Hussain,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
43. Smt. J. Dhanalaxmi, W/o. Sravan Kumar,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
44. Smt. G. Padma. W/o. G. Venkatesh,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
45. Smt. Annapurna, W/o. Krishna Murthy,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
46. Smt. D. Hema, W/o. D. Krishna,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
47. Smt. P. Appayamma, W/o. Chitti Babu,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
48. Smt. D. Devi, W/o. D. Siva,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
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50. Smt. Anusha, W/o. Ravi,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.

...APPELLANT(S)

AND

1. State of Telangana,, Rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Saifabad, Hyderabad.
2. State of Telangana,, Rep. by its Special Chief Secretary and Chief Commissioner of Land Administration, Secretariat Buildings, Saifabad, Hyderabad.
3. The District Collector, Ranga Reddy District, Telangana, State,
4. The Revenue Divisional Officer,, Chevella Division, Ranga Reddy District, Telangana State.
5. The Deputy Collector and Tahsildar,, Serilingampally Mandal, Ranga Reddy District, Telangana State.
6. State of Telangana,, Rep. by its Principal Secretary, Tourism Department, Hyderabad.

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7. Royal Padmanayaka Hospitality Pvt. Ltd., Rep. by its Managing Director, Flat No. 102, Silpa Arcade, Road No.3, Banjara Hills, Hyderabad 500034.

...RESPONDENTS

I.A.NO:1 OF 2017(WAMP. NO: 845 OF 2017)

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 passed by the single judge of this Hon'ble Court in WP.no. 22838 of 2015 dt. 17.02.2017.

I.A.NO:2 OF 2018

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 accord permission to the respondents to include the name of 24 applicants i.e. Writ Petitioner Nos 2,4,5,8,9,14, 145, 17, 19, 24,25,26,27,28,29,30,31,34,35, 37, 38 40, 42 and 48 (either writ petitioners or their legal representatives) in the list of allottees of houses under JNNURM Housing Scheme.

I.A.NO:3 OF 2018

Between

1. State of Telangana,, Rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Saifabad, Hyderabad.
2. State of Telangana,, Rep. by its Special Chief Secretary and Chief Commissioner of Land Administration, Secretariat Buildings, Saifabad, Hyderabad.
3. The District Collector, Ranga Reddy District, Telangana, State,
4. The Revenue Divisional Officer, Chevella Division, Ranga Reddy District, Telangana State.
5. The Deputy Collector and Tahsildar,, Serilingampally Mandal, Ranga Reddy District, Telangana State.
6. State of Telangana,, Rep. by its Principal Secretary, Tourism Department, Hyderabad.

.....PETITIONERS/RESPONDENTS NOS.1 TO 6/
RESPONDENTS NOS.1 TO 6

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AND

1. Smt. Buchamma W/o. Kanakappa, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
2. Smt. Masamma, W/o. Gopal,, SC/ST and BC Economically Poor/Landless and presently residing at Sy.No.62, Masthannagar, Gutla Begumpet, Serilingampalli Mandal, Ranga Reddy District.
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....RESPONDENTS/PETITIONERS/PETITIONERS

51. Royal Padmanayaka Hospitality Pvt. Ltd., Rep. by its Managing Director, Flat No. 102, Silpa Arcade, Road No.3, Banjara Hills, Hyderabad 500034.
(R 51 is a formal party in this petition)

....RESPONDENT/7th RESPONDENT/7th RESPONDENT

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 interim order dated 6.4.2017 in WAMP No. 845 of 2017 in WA No. 400 of 2017

Counsel for Appellants : MRS. LATHA ALAPATI

**Counsel for Respondent Nos.1 to 6 : SRI MOHAMMED IMRAN KHAN, ADDL
ADVOCATE GENERAL**

Counsel for Respondent No.7 : SRI S.CHAKRAPANI

The Court made the following JUDGMENT

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HON'BLE SRI JUSTICE J.SREENIVAS RAO**

W.A.NO. 400 OF 2017

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

This intra-court appeal is filed aggrieved by the orders dated 17.02.2017 passed by the learned Single Judge in W.P.No.22838 of 2015 rejecting the claim of the appellants.

2. Heard Mrs.Latha Alapati, learned counsel for the appellants, Mr.Mohammed Imran Khan, learned Additional Advocate General appearing on behalf of respondent Nos.1 to 6 and Mr.S.Chakrapani, learned counsel appearing on behalf of respondent No.7.

3. During the course of hearing, learned counsel for the appellants submitted that pursuant to the interim order granted by the Division Bench of this Court in W.A.M.P.No.845 of 2017 dated 06.04.2017, the respondent authorities have allotted 2 BHK Flats to the 24 appellants, out of 50 appellants. The remaining 26 appellants are also entitled under Jawaharlal Nehru National Urban Renewal Mission (JNNURM) scheme. However, the respondent authorities are not considering the claim of those 26 appellants without any reasons.

4. Learned Additional Advocate General appearing on behalf of respondent Nos.1 to 6 submitted that the respondent authorities have provided 2 BHK Flats under JNNURM scheme basing on their eligibility. The remaining 26 appellants have not approached the respondent authorities and not submitted applications. If the said appellants submitted applications, the respondent authorities will consider the same, in accordance with law, and requested the Court to grant reasonable time.

5. Learned counsel for the appellants by way of reply submitted that the remaining 26 appellants may be granted liberty to submit applications afresh and the respondent authorities may be directed to consider the same on par with other appellants, who were granted 2 BHK Flats under JNNURM scheme.

6. In view of the above said submissions made by the respective parties, the 26 appellants are granted liberty to submit applications for allotment of 2 BHK Flats under JNNURM Scheme within a period of four (04) weeks from the date of receipt of a copy of this judgment. On such applications, respondent Nos.1 to 6 are directed to consider the same and pass appropriate orders, in accordance with law, within a period of two (02) months from thereafter. It is needless to observe that this Court is not expressed any opinion on merits.

7. With the above direction, the writ appeal is disposed of.
There shall be no order as to costs.

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

SD/- T. KRISHNA KUMAR
DEPUTY REGISTRAR

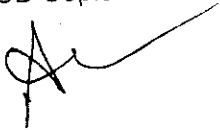
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SECTION OFFICER

To

1. The Principal Secretary, Revenue Department, Secretariat Buildings, Saifabad, State of Telangana at Hyderabad.
2. The Special Chief Secretary and Chief Commissioner of Land Administration, Secretariat Buildings, Saifabad, State of Telangana at Hyderabad.
3. The District Collector, Ranga Reddy District, Telangana, State.
4. The Revenue Divisional Officer, Chevella Division, Ranga Reddy District, Telangana State.
5. The Deputy Collector and Tahsildar, Serilingampally Mandal, Ranga Reddy District, Telangana State.
6. The Principal Secretary, Tourism Department, State of Telangana at Hyderabad.
7. Two CC's to ADVOCATE GENERAL, High Court for the State of Telangana at Hyderabad. (OUT)
8. One CC to SRI A. RAJENDRA BABU, Advocate [OPUC]
9. One CC to SRI MOHAMMED IMRAN KHAN, Advocate (OPUC)
10. One CC to SRI S. CHAKRAPANI, Advocate [OPUC]
11. Two CD Copies

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GJP

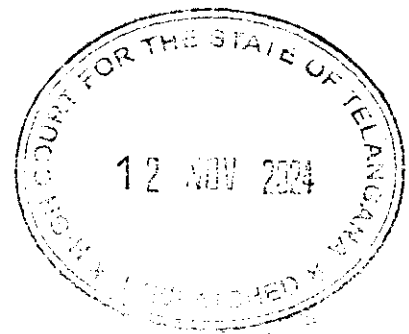


HIGH COURT

DATED:17/10/2024

JUDGMENT

WA.No.400 of 2017



**DISPOSING OF THE WRIT APPEAL
WITHOUT COSTS.**

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17/10/2024