

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE ELEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HONOURABLE SMT JUSTICE RENUKA YARA

WRIT APPEAL NO: 184 OF 2025

Writ Appeal under clause 15 of the Letters Patent preferred against the order dated 12-12-2024 in W P No 34964 of 2024 on the file of the High Court.

Between:

Narra Ram Reddy, S/o Narra Sai Reddy, Aged about 53 years, Occ: Pvt Service, R/o H.No. 29-391/219, Vajpayee Nagar, Neredmet, Malkajgiri Mandal, MedchalMalkajgiri District.

...APPELLANT

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Hyderabad.
2. The Jangaon Municipality, Rep. by its Commissioner, Jangaon, Jangaon District.
3. The District Collector, Jangaon District

...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 suspend the Order in Roc.No.E1/1877/2023 dt.07-02-2024 of the 2nd respondent while directing the respondent No.2 to give an opportunity of hearing and to conduct the Denovo enquiry under the supervision of 3rd respondent, pending disposal of the main Writ Appeal.

Counsel for the Appellant: SRI PULIMAMIDI SHASHIDHAR REDDY

**Counsel for the Respondent No.1: SRI E. VENKATA REDDY, GP FOR
MUNICIPAL ADMINISTRATION &
URBAN DEVELOPMENT**

**Counsel for the Respondent No.2: Ms. G. SHARVANI REP. FOR
SRI KRISHNA REDDY PUTTA,
SC FOR MUNICIPALITY**

**Counsel for the Respondent No.3: SRI MURALIDHAR REDDY KATRAM,
GP FOR REVENUE**

The Court delivered the following: JUDGMENT

SD/- B. SATYAVATHI

**THE HON'BLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HON'BLE SMT. JUSTICE RENUKA YARA**

WRIT APPEAL No.184 of 2025

JUDGMENT *(Per the Hon'ble the Acting Chief Justice Sujoy Paul):*

Sri P. Sashidhar Reddy, learned counsel for the appellant; Sri E. Venkata Reddy, learned Government Pleader for Municipal Administration and Urban Development Department, for respondent No.1; Ms. G. Sharvani, learned counsel represents Sri Krishna Reddy Putta, learned Standing Counsel for respondent No.2 and Sri Muralidhar Reddy Katram, learned Government Pleader for Revenue, for Revenue Department, for respondent No.3.

2. The appellant/writ petitioner assailed the order dated 07.02.2024 before the learned Single Bench. Learned Single Bench opined as under:

“6. It appears that there is dispute with regard to identification of the property. Petitioner is claiming right over the said property on the strength of registered sale deed and whereas according to 2nd respondent there is no open plot at all and 2nd respondent has laid road strictly in accordance with Master Plan. Thus, there are serious disputed questions of fact, which neither this Court can consider in a writ filed under Article 226 of the Constitution of India nor 2nd respondent municipality. Petitioner has to approach Civil Court by filing a suit.

7. In the light of the aforesaid discussions, the petitioner is not entitled for any relief much less the relief sought in the present writ petition.

This writ petition is liable to be dismissed and accordingly dismissed. Liberty is granted to the petitioner to avail alternative remedy of filing of suit. There shall be no order as to costs."

3. On a specific query from the Bench as to why the writ appeal should be entertained in view of specific finding given in page No.38, learned counsel for the appellant placed reliance on information obtained under the Right to Information Act, 2005, which is filed along with the writ appeal. Relevant paragraph of the impugned order dated 07.02.2024 before the learned Single Bench reads thus:

"in view of the above the representations of the applicant are considered and it is informed that the concerned officials of the municipality have conducted detailed survey once again, and it is found that, there is no open plot belongs to the applicant. There is a clear road as per approved Master Plan vide G.O.Ms.No.310 MA, dated 07.08.1990 Gazette."

4. Learned Single Judge opined that the disputed questions of fact cannot be gone into in a writ petition and permitted the appellant to avail the remedy under the civil law. In our opinion, learned Single Judge has taken a plausible view. No argument could be advanced before us to demolish the finding given in the impugned order dated 07.02.2024. Thus, the plausible view taken by the learned Single Judge is not liable to be interfered with. It is trite that disputed questions of fact cannot be gone into in a writ petition. The appropriate remedy for the appellant

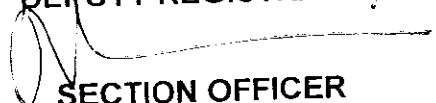
is under the civil law. Thus, the impugned order dated 12.12.2024 is maintained.

5. Accordingly, this Writ Appeal is **disposed of**. No costs.


Interlocutory applications, if any pending, shall also stand closed.

//TRUE COPY//

SD/- B. SATYAVATHI
DEPUTY REGISTRAR


SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, The State of Telangana, Secretariat, Hyderabad.
2. The Commissioner, The Jangaon Municipality, Jangaon, Jangaon District.
3. The District Collector, Jangaon District
4. One CC to SRI PULIMAMIDI SHASHIDHAR REDDY, Advocate [OPUC]
5. One CC to SRI KRISHNA REDDY PUTTA, SC for MUNICIPALITY [OPUC]
6. Two CCs to GP FOR MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT, High Court for the State of Telangana. [OUT]
7. Two CCs to GP FOR REVENUE, High Court for the State of Telangana. [OUT]
8. Two CD Copies
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GJP 

HIGH COURT

DATED:11/02/2025

JUDGMENT

WA.No.184 of 2025



**DISPOSING OF THE WRIT APPEAL
WITHOUT COSTS**

PA
11/3/25
(11)