

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

WEDNESDAY, THE TWENTY FIFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 5842 OF 2026

Between:

Smt. Konda Seshamma, W/o Late Narsaiah, aged about 61 years, Occ. Agriculture, R/o H.No.3-107/1/A, Kusumanchi Village and Mandal, Khammam District.

...PETITIONER

AND

1. The State of Telangana, Revenue Department, Secretariat Building, Secretariat, Hyderabad, Rep. by its Principal Secretary.
2. The District Collector, Khammam, Khammam District.
3. The Revenue Divisional Officer, Khammam Division, Khammam District.
4. The Tahsildar, Kusumanchi Mandal, Khammam District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 4th respondent in issuing the Impugned Order vide Rc.No.B/811/2025, 'dated 09.02.2026, earlier Impugned Notice vide No.Rc.No.B/811/2025, dated 08.10.2025 issued by the 4th respondent and trying to occupy the land of the petitioner's agriculture land admeasuring Ac.1.06 guntas in Sy.No.228/A of Kusumanchi Village and Mandal, Khammam District and dispossess the petitioner from her above land and house, even having the e-pattadar passbook vide Passbook No.T26090062746 and Vide Khata No.3460, without having any jurisdiction is illegal, arbitrary, violation of Principles of Natural Justice and also in violation of Articles 14, 21 and 300-A of the Constitution of India and set aside the

Impugned Order vide Rc.No.B/811/2025, dated 09.02.2023 issued by the 4th respondent and consequently direct the respondents more particularly the respondent No.2 to 4 to not to acquire the land of the petitioner's agriculture land admeasuring Ac.1.06 guntas in Sy.No.228/A of Kusumanchi Village and Mandal, Khammam District and not to dispossess the petitioner from her above land and house.

I.A. NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the operation of the proceedings pursuant to the Impugned Order vide Rc.No.B/811/2025, dated 09.02.2026 issued by the 4th respondent, earlier Impugned Notice vide No.Rc.No.B/811/2025, dated 08.10.2025 issued by the 4th respondent, by directing the respondents more particularly the respondent Nos.2 to 4 to not to acquire the land of the petitioner's agriculture land admeasuring Ac.1.06 guntas in Sy.No.228/A of Kusumanchi Village and Mandal, Khammam District and not to dispossess the petitioner from her above land and house pending disposal of the writ petition.

Counsel for the Petitioner: SRI RAPOLU BHASKAR

Counsel for the Respondents: SRI L.RAVINDER, AGP FOR REVENUE

The Court made the following: ORDER

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

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No. 5842 OF 2026

DATE: 25-02-2026

Between:

Smt. Konda Seshamma

.... Petitioner

AND

The State of Telangana,
Revenue Department,
Secretariat Building, Secretariat,
Hyderabad, Rep. by its Principal Secretary,
and three others.

... Respondents

ORDER: (ORAL)

This writ petition is filed challenging the eviction/resumption order *vide* Rc.No. B/811/2025, dated 09.02.2026, passed by respondent No.4 - Tahsildar, Kusumanchi Mandal, Khammam District, whereby the Government sought to resume the subject lands in Survey Nos.228/D, 228/E, 228/I and 228/L of Kusumanchi Village and Mandal, Khammam District, under the provisions of the Telangana Land Encroachment Act, 1905 (for short, 'Act, 1905'), and the Mandal Revenue Inspector-I, Kusumanchi, was directed to conduct panchanama for taking over possession of the said lands.

2. Heard Mr. Rapolu Bhaskar, learned counsel for the petitioner, and Mr. L. Ravinder, learned Assistant Government Pleader for Revenue, appearing for the respondents, and perused the material available on record.

3. Learned counsel for the petitioner submitted that the provisions of the Act, 1905, should not have been intimated against the petitioner, as the petitioner was issued digital passbook for the subject lands.

4. Learned Assistant Government Pleader appearing for the respondents takes preliminary objection to the maintainability of the writ petition and submitted that the petitioner's land covered by patta passbook bearing No.T26090062746 is in Survey No.228@1, whereas the lands covered by the impugned order are in Survey Nos.228/D, 228/E, 228/I and 228/L. Learned Assistant Government Pleader further submitted that the impugned order shows that the petitioner has admitted that she has encroached the Government land to an extent of Ac.1-05 guntas in Survey No.228/A.

5. Learned counsel for the petitioner submitted that attempts are being made by respondent No.4 to evict the petitioner without waiting for expiry of appeal time of 60 days under Section 10 (1) (a) of the Act, 1905.

6. In the circumstances, without expressing any opinion on merits, considering that the petitioner has effective alternative remedy of appeal under Section 10 (1) (a) of the Act, 1905, before respondent No.2 - District Collector, Khammam District, the petitioner is granted liberty to avail the said remedy. The impugned order dated 09.02.2026 passed by respondent No.4 shall be kept in abeyance for a period of one month from today. Within this time, the petitioner shall take steps to file appeal before respondent No.2 and seek interim orders. Interim orders in the stay petition and the final orders in the appeal shall be passed on merits without being influenced by any of the observations made in this order.

7. Accordingly, this writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending in this writ petition, shall stand closed.

//TRUE COPY//

SD/- L. VIJAYA LAXMI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, Secretariat Building, Secretariat, Hyderabad, State of Telangana.
2. The District Collector, Khammam, Khammam District.
3. The Revenue Divisional Officer, Khammam Division, Khammam District.
4. The Tahsildar, Kusumanchi Mandal, Khammam District.
5. One CC to SRI RAPOLU BHASKAR, Advocate [OPUC]
6. Two CCs to GP FOR REVENUE High Court for the State of Telangana, at Hyderabad [OUT]
7. Two CD Copies

BSR



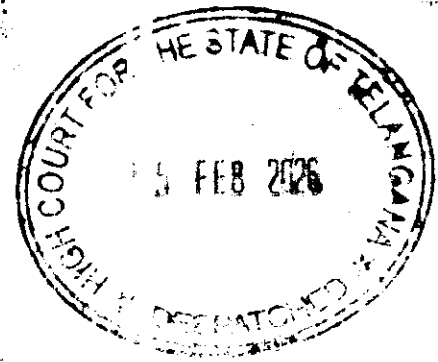
CC TODAY

HIGH COURT

DATED: 25/02/2026

ORDER

WP.No.5842 of 2026



**DISPOSING OF THE WRIT PETITION,
WITHOUT COSTS**

(10)
25/02/26
T.K.