

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

FRIDAY ,THE SIXTH DAY OF MARCH

TWO THOUSAND AND TWENTY SIX

:PRESENT:  
THE HONOURABLE SRI JUSTICE ANIL KUMAR JUKANTI

WRIT PETITION NO: 1107 OF 2016

**Between:**

Mohd. Abdul Qayum Ghori, S/o Late Mohamed Afzal Ghori.

**Petitioner**

**AND**

1. The State Of Telangana, Represented by its Principal Secretary Revenue Department, T.S. Secretariat, Hyderabad.
2. The District Collector, Hyderabad, At Abids, Hyderabad.
3. The Revenue Divisional Officer, Secunderabad.
4. The Mandal Revenue Officer, Khairatabad, Hyderabad.

**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 a Writ of Mandamus or any other appropriate Writ or Writs, Order or Orders declaring the action of Respondents more particularly the Respondent No.4 in illegally interfering with Petitioners peaceful possession over property bearing H.No.8-4-371/C/5 on Plot No.5, admeasuring 191 Sq.Yds, situated in Sy.No.128/1 of Sarathi Nagar, Borabanda, Yousufguda, Hyderabad without issuing any prior notice or following due process of law as Arbitrary, Illegal, Unjust and violative of principles of Natural Justice and consequently Direct the Respondents not to interfere with the continuous and peaceful possession of Petitioner over said property.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI SUJITH JAISWAL, Advocate for the Petitioner, GP FOR REVENUE (TG) for the Respondents, the Court made the following.

## ORDER

On 25.06.2024, 15.07.2024, 11.11.2024, 18.12.2024, 22.01.2025 and 27.01.2026, time was sought on behalf of official respondents for filing counter affidavit.

Respondent No.4 is the contesting respondent who has to file the counter affidavit as it is prayed that respondent No.4 was illegally interfering with the petitioners' peaceful possession (over the subject property) and the details are given in the prayer.

No counter affidavit is forthcoming in spite of grating time on earlier six occasions from June, 2024.

Matter pertains to year 2016.

Writ Rule 12 of Writ Proceedings Rules, 1977, is as follows:

“12 (i) (a) Every Respondent in every Writ Petition intending to enter appearance and oppose any Writ Petition on which notice is issued by the High Court, shall enter appearance and file a Counter Affidavit in opposition as soon as may be and in any event one hundred and twenty days from the date of service of notice in the Writ Petition or the Service of Rule nisi on the said Respondent.

(b) Reply affidavits shall be filed unless otherwise ordered, within one month of receipt of copy of the Counter Affidavit.

(ii) No Counter affidavit filed beyond one hundred and twenty days from the date of service of notice on the opposite party or parties in the Writ Petition shall be received or be used at the hearing of the Writ Petition unless the Court grants leave to file counter affidavit beyond the stipulated period, subject to such terms as the Court may deem fit.

(iii) Affidavits in opposition and affidavits in reply thereto shall be filed in the Registry along with authenticated copies of documents on which the party relies duly stitched book-wise and indexed with continuous pagination, after service on the opposite party or parties. No such affidavit shall be entertained after the time extended in sub-rule (ii) without the leave of the Court.”

Respondent No.4 shall be permitted to file a counter affidavit, on payment of costs of Rs.7,500/- to the writ petitioner.

It is made clear that if costs are not paid by the next date of hearing, this Court will be constrained to direct the District Collector to invoke the Revenue Recovery Act, 1890, to attach the movables of the office of Mandal Revenue Officer (MRO).

Post the matter on 13.03.2026.

Sd/- P.C.SULEKHA DEVI  
ASSISTANT REGISTRAR

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//TRUE COPY//

  
SECTION OFFICER

To,

1. The State Of Telangana, Represented by its Principal Secretary Revenue Department, T.S. Secretariat, Hyderabad.
2. The District Collector, Hyderabad, At Abids, Hyderabad.
3. The Revenue Divisional Officer, Secunderabad.
4. The Mandal Revenue Officer, Khairatabad, Hyderabad (RR 1 to 4 by RPAD)
5. One CC to SRI. SUJITH JAISWAL Advocate [OPUC]
6. Two CCs to GP FOR REVENUE (TG) ,High Court at Hyderabad. [OUT]
7. One spare copy  
srt

HIGH COURT

JAKJ

DATED:06/03/2026

Post the matter on 13.03.2026

ORDER

WP.No.1107 of 2016

DIRECTION

