

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

HON'BLE SRI JUSTICE LAXMI NARAYANA ALISHETTY

WRIT PETITION No.11401 of 2020

Dated:08.06.2026

Between:

Jyothi Estates, Hyderabad,
reptd., by its Managing Partner-
T.Madhusudhan Goud

...Petitioner

AND

The State of Telangana, rep. by its
Secretary, Revenue Department,
Hyderabad and others.

...Respondents

ORDER:

This Writ Petition is filed seeking to issue a writ of *Mandamus* directing respondent Nos.1 to 3 to remove the sign board erected on the land premises bearing No.3-5-897 admeasuring 331 sq. yards consisting of old building situated at Himayathnagar, Hyderabad and consequently direct the respondents not to interfere with the title and possession of the aforesaid property except in accordance with law.

2. Heard Sri Janardhan Goud Sunkari, learned counsel for petitioner and learned Assistant Government Pleader for Revenue.

3. Brief facts of the case as averred in the writ petition are that the petitioner purchased the subject property through registered sale deed vide Doc.No.148/55 dated 27.01.1955 from their vendors and subsequently transferred the possession to respondent No.4, vide Doc.No.5094/97 dated 23.08.1997; that thereafter, respondent No.4 obtained permission for building construction from Commissioner vide file No.897/5/98 permit No.92/89 dated 29.01.1999; that while construction was in progress, respondent No.4 and others have entered into an agreement with the petitioner for sale of property on 06.01.2001; that the petitioner had paid consideration of Rs.27 lakhs; that thereupon, as disputes arose between petitioner and respondent No.4, the petitioner filed O.S.No.53/2004 before the Chief Judge, City Civil Court, Hyderabad, for compliance of the terms of aforesaid agreement; that the said suit was decreed in favour of petitioners on 23.03.2007; and that challenging the same, respondent No.4 preferred CCCA.No.157/2007 before this Court and the same was dismissed, vide orders dated 06.01.2025.

3.1. While the things stood thus, in the first week of June, 2020, respondent No.3 had put up a sign board stating that the subject property belongs to Government and noticing the same, the petitioner approached respondent No.3 with all the relevant documents, requesting to remove the

sign board, but as respondent No.3 did not heed to its request, this Writ Petition is filed.

4. Learned counsel for petitioner submitted that the subject property is a private land and does not belong to Government and in support of his submission, he relied upon No Objection Certificate, dated 14.11.1998, issued by respondent No.3, when an application is filed by respondent No.4 seeking permission for building construction, wherein it is stated as hereunder:-

'There was an old building existing for 40 years bearing No.3-5-897 and entries to that effect are recorded in Town Survey Land Register and thereby there will be no objection to the permission is granted to M/s. S.V.Constructions, Hyderabad',

4.1. He further submitted that respondent No.3 acted contrary to the NOC issued by the said authority itself and that if the respondents have any interest over the subject land, they shall follow due procedure in accordance with law by duly issuing notice and affording opportunity to all the parties concerned.

4.2. Learned counsel further submitted that the entries in the TSLRs showing the subject land as 'G', are not proof of title and basing on such entries, the Government cannot claim title over the subject land and in support thereof, he relied upon the judgment of the Hon'ble Apex Court in

State of Andhra Pradesh V. Hyderabad Potteries Private Limited¹ wherein it is held as hereunder:-

‘The entries in revenue records are not proof of title and such entries cannot be relied upon for establishing title.’

5. Learned counsel for the petitioner also relied upon the judgment, dated 18.04.2017, of the erstwhile High Court of A.P. in W.P.No.25934 of 2010, (***Garlapalli Jagdeshwar V. The District Collector Hyderabad District***), wherein it is held as hereunder:-

‘Merely on the basis of entry in the Town Survey Land Record or revenue record classifying the said land as “G”, the respondents cannot claim that it is Government land.’

6. On the other hand, learned Assistant Government Pleader for Revenue submitted that as per Town Survey Land Records, the subject land is identified and recorded as “G”; that though the name of private persons is recorded in Column No.23 in the TSLR, the private parties failed to produce any valid grant from the Government and hence, the Settlement Officer recorded the same to be ‘Government land’ and erected a sign board in the subject property. She further submitted that merely obtaining permission from Municipal authorities for construction does not confer any right or title over the Government land and further, the permission obtained

¹ (2010) 5 SCC 382

for construction in the year 1999 has become null and void as the construction was not completed within the stipulated time.

6.1. She further submitted that Town Survey was conducted in the year 1964-71 by duly issuing notification under Section-6(1) of the Andhra Pradesh Survey and Boundaries Act, 1923, and as per which, the subject property is classified as “Government land”; that as per Section 14 of the said Act, the entries in TSLR have to be challenged within a period of three years from the date of notification and admittedly, the petitioners have not challenged the said entries in TSLR, therefore, the same cannot be brushed aside and the entries made in the Town Survey Land Record will prevail over any other documents and are conclusive proof. By contending thus, learned Assistant Government Pleader prayed to dismiss the Writ Petition as the same is devoid of merits.

7. In support of her contentions, learned Assistant Government Pleader for Revenue relied upon the judgment of the erstwhile High Court of Andhra Pradesh in *Raidurg Co-operative House Building Society Limited and others V. Government of Andhra Pradesh*² wherein it is held that mere entries in the revenue records does not confer any title.

8. Apropos the aforesaid submissions of learned counsel for petitioners and the learned Assistant Government Pleader, the issue that falls for

² (2004) 3 ALT 221

consideration is whether the State is entitled to erect a sign board on the subject property as 'Government land', based on the entries in the TSLR.

9. The respondent authorities are claiming the subject property as "Government land" basing on the entries in TSLR. However, it is pertinent to note that respondent No.3 issued NOC wherein it is *inter alia* stated that it is held proved that there was an old building bearing No.3-5-897 existing for more than 40 years and the same is recorded in Town Survey Land Register and gave no objection to grant construction permission to M/s S.V. Constructions, Hyderabad.

10. From a bare reading of the No Objection Certificate, dated 14.11.1998, issued by respondent No.3, it is evident that on perusing the link documents in respect of the subject land and the entries in TSLR, he held that it is proved that an old building was existing for more than 40 years. Basing on the same, building construction permission was granted to M/s S.V. Constructions, Hyderabad. This action of respondent authorities implies that the authorities acknowledged the long and continuous possession of private persons in the subject property. The above conduct of respondent authorities amounts to approbation and reprobation, which is impermissible in law.

11. Subsequently, it appears that much water has flown with regard to construction in the subject land, which is not required to be stated for the purpose of deciding the issue involved in the present Writ Petition.

12. As regards the extent of credence to be given to entries in the TSLRs in respect of title, the law is well settled. In *G.Satyanarayana V. State of AP*³, the erstwhile High Court of Andhra Pradesh held that Government cannot claim the rights and title based on mere Town Survey Records unless and until they got declaration from the competent court of law. On an appeal vide WA.No.812 of 2017 filed against the said order, the same was disposed of, upholding the findings of the learned single Judge recorded in the said Writ Petition.

13. Here, it is also trite to refer to the judgment of the erstwhile High Court of Andhra Pradesh in *State of Andhra Pradesh V. Hyderabad Potteries Private Limited*⁴ wherein held that *TSLR is only a revenue/survey record. Such entries may raise a presumption for fiscal purposes, but they do not by themselves establish legal title.*”

14. In the present case, the Government except relying upon the entries in the TSLR, have not produced any other documents in support of their claim of title over the subject land. In addition to the same, interestingly,

³ 2014 (4) ALD 358

⁴ (2010) 5 SCC 382

the No Objection Certificate issued by respondent No.3 shows the existence of old building aged more than 40 years by referring to the entries in the TSLR, which in other words, evidences the possession and enjoyment of private persons over the same.

15. Therefore, in the absence of any substantive material or documents relied upon by the State except the entries in TSLR, in support of their claim of title over the subject land, the judgments referred to hereinabove squarely applies to the instant case.

16. Accordingly, in the light the judgments cited hereinabove, this Court holds that the State cannot claim title over the subject land merely based on the entries in the TSLRs and thereby, it is not entitled to erect a sign board as 'Government land' in the subject land. The State is at liberty to approach appropriate forum to declare its title over the subject land and subject to the result therefrom, then proceed in accordance with law.

17. For the foregoing reasons, this Writ Petition is allowed and respondent No.3 is directed to remove the sign board put up in subject property. No costs.

18. Miscellaneous Petitions pending, if any, shall stand closed.

JUSTICE LAXMI NARAYANA ALISHETTY

Dated:08.06.20026
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