

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.17860 OF 2015

Date:19.06.2015

Between:

Dr. (Mrs.) B. V. Sagar (M.B.B.S. DGO),
W/o. Late Dr. Vidya Sagar .. Petitioner

And

The State of Telangana, rep., by
District Collector, Khammam
District and others .. Respondents

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.17860 OF 2015

ORDER:

Heard.

The petitioner seeks a *mandamus* against the Sub Registrar, Wyrā Mandal, Khammam District, for registration and release of her sale deed. It is, however, evident from the record that there is an injunction subsisting vide I.A.No.125 of 2012 in O.S.No.37

of 2012 on the file of Senior Civil Judge, Khammam, restraining the alienation of the property covered by the said suit. The petitioner has, admittedly, purchased the property from defendant No.1 in the said suit under a document, dated 03.01.2012.

In view of the said subsisting injunction, however, any of the defendants therein cannot obviously execute and register the sale deed. The petitioner, who is a subsequent purchaser, has to, therefore, seek her remedy by approaching the said civil Court and cannot seek a *mandamus* as prayed for in this Writ Petition, as that would violate the order of injunction passed by a competent civil Court. As the situation stands, neither the petitioner's vendor can register the sale deed in favour of the petitioner, nor the Sub Registrar can register it.

The Writ Petition is, therefore, clearly misconceived and the same is accordingly dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V. AFZULPURKAR, J

19.06.2015

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