

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

WP.No.26126 of 2015

Between:

M/s.Sree Jayalakshmi Industries.

-

... Petitioner/Appellant (s)

and

The District Collector, West Godavari district,
Eluru and 4 others.

-

... Respondent (s)

DATE OF JUDGMENT PRONOUNCED: 18.08.2015

-

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

- | | | |
|---|---|---------------|
| 1 | <u>Whether Reporters of Local newspapers</u>
<u>may be allowed to see the Judgments?</u> | <u>Yes/No</u> |
| - | | |
| 2 | <u>Whether the copies of judgment may be</u>
<u>marked to Law Reports/Journals</u> | <u>Yes/No</u> |
| - | | |
| 3 | <u>Whether Their Ladyship/Lordship wish to</u>
<u>see the fair copy of the Judgment?</u> | <u>Yes/No</u> |

-

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.26126 OF 2015

-

ORDER:

The case of the petitioner is that it is the absolute owner of the property to an extent of Ac.1.65 cents out of Ac.3.40 cents covered by Sy.No.143 of Polasanipalli Village and it has availed loan by mortgaging the said property in favour of APSFC. While so, when there was a dispute with 5th respondent petitioner filed

Civil Suit in OS.No.255 of 2015 against 4th and 5th respondents and also obtained an order of interim injunction. When one N.Ravindra who obtained a money decree against the 4th respondent tried to execute the decree by bringing the petitioner's property to sale in EP.No.107/2006, the petitioner filed a claim petition EA.No.1050 of 2011, claiming absolute and exclusive title to the schedule property while asserting that the 4th respondent who was the Judgment Debtor in the EP has no right in the property and the Court below was pleased to allow the said EA on 12.07.2013 holding that the schedule property is the absolute and exclusive property of the petitioner firm. Thereafter, though the petitioner submitted application for mutation in its favour in the revenue records before the 3rd respondent, the same is not being disposed of as on today. Aggrieved by the same, present writ petition is filed.

Heard learned counsel for the petitioner.

Since the application submitted by the petitioner for mutation is pending before the 3rd respondent, it is for the 3rd respondent to consider the same as per the provisions of the A.P.Rights in Land and Pattadar Pass Books Act, 1971 (*for short 'the Act'*).

In view of the above, the 3rd respondent is directed to consider the application submitted by the petitioner for mutation, in accordance with law after issuing notices to all the concerned persons, within a period of two months from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. No

order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending shall stand closed.

A.RAJASHEKER REDDY, J

18.08.2015

t k.