

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.27778 OF 2013

ORDER:

Heard learned counsel for the petitioner.

Though notice is served on respondents 3 to 5 none appears.

The issue in the writ petition is no longer *Res Integra* as the subject matter of the writ petition is already decided by this Court in ***Haji Mohammed Ahmed v. State of Andhra Pradesh***¹ by relying on the Judgment of the Apex Court in ***Thota Ganga Laxmi v. Government of A.P. in Civil appeal No.791 of 2007 and batch***, wherein the Apex Court held that there cannot be unilateral cancellation of Gift Deed.

In the present case also the petitioner challenges the unilateral cancellation of Gift Deeds. In view of the same, following the Judgments of this Court in ***Haji's case (cited supra)*** and the Apex Court in Civil Appeal No.791/2007, this writ petition is allowed. However this order will not preclude the unofficial respondents in approaching civil court for cancellation of gift deed. No order as to costs.

As a sequel, Miscellaneous petitions, if any, pending in the writ petition shall stand closed.

A.RAJASHEKER REDDY, J

16.09.2016
tk

¹ 2012(3) CCC 228 (A.P.)