

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.42833 of 2015

Date:05.01.2016

Between:

Katika Rukhiya Begum,
W/o S.Ameenuddin

..... Petitioner

And:

The State of A.P., repled., by its
Principal Secretary, Municipal Administration
Department, Hyderabad and three others.

.....Respondents

Counsel for the Petitioner: Mr. V.R.Reddy Kovvuri

Counsel for Respondent No.1: GP for Municipal Admn. (AP)

The Court made the following:

ORDER:

This Writ Petition is filed for a *Mandamus* to set aside endorsement in Roc.No.54/A4/2014, dated 19.11.2014, of respondent No.2, whereby it has called upon the petitioner to place before it all the documents pertaining to house bearing Door No.14/33, Pedda Besta Street, Bellary Road, Ward No.14, Kadapa, YSR Kadapa District and the house bearing Door No.15/108, Mekala Doddi, Kadapa, within seven days.

The petitioner has pleaded that respondent No.4 has caused a legal notice to respondent No.2, wherein it was alleged that the petitioner has created false

registration of the subject property; that he has, accordingly, called upon respondent Nos.2 and 3 to change Door No.14/33 as Door No.15/108; and that on receipt of such legal notice, respondent No.3 has issued the impugned endorsement. The petitioner further averred that she has got reply notice, dated 24.11.2104, sent to respondent No.3. Anticipating an adverse order on the impugned endorsement, she has filed this Writ Petition.

The facts pleaded by the petitioner show that the impugned endorsement was issued as far back as 19.11.2014 and a reply thereto was sent by the petitioner. The petitioner has, however, not filed a copy of the reply in order to know what stand she has taken therein. Be that as it may, having not questioned the endorsement before she gave her reply and having waited for more than one year, the petitioner has filed the present Writ Petition on the ground that respondent Nos.2 and 3 have no jurisdiction to decide the dispute raised by respondent No.4 and that it is only the competent civil Court which has jurisdiction to decide such dispute.

In my opinion, whether respondent Nos.2 and 3 have jurisdiction to cancel the earlier action taken in favour of the petitioner with regard to the subject property or not needs to be adjudicated, in the event an order adverse to her interests is passed. Obviously, to pre-empt respondent Nos.2 and 3 from taking further action against her, the petitioner has filed the present Writ Petition. Hence, I do not find any merit in the Writ Petition and the same is, accordingly, dismissed, however, with liberty to the petitioner to avail appropriate legal remedies if respondent Nos.2 and 3 pass any order adverse to her interests.

As a sequel to dismissal of the Writ Petition, W.P.M.P.No.55223 of 2015 shall stand disposed of as

infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

*05th January, 2016
DR*