

**HON'BLE SRI JUSTICE A.RAJASHEKER REDDY**

**WRIT PETITION No.24888 of 2016**

**ORDER:**

This writ petition is filed stating that the petitioner purchased land to an extent of Ac.6-25 cents in Sy.No.145/1 of Sankalapuram Village, Banganapalle Mandal, Kurnool District from the 4<sup>th</sup> respondent through registered sale deed dated 27-03-2015 vide document bearing No.2180/2015. The 4<sup>th</sup> respondent filed O.S.No.276 of 2015 on the file of II Additional Senior Civil Judge, Nandyal against the petitioner for cancellation of registered sale deed dated 27-03-2015 and again he has executed sale deed bearing document No.652/2016, dated 14-03-2016 in favour of the 5<sup>th</sup> respondent for the same land. Aggrieved by the same, the present writ petition is filed for cancellation of document No.652/2016 executed by 4<sup>th</sup> respondent in favour of the 5<sup>th</sup> respondent.

Heard learned counsel for the petitioner and the learned Assistant Government Pleader for Assignments.

Counter is also filed by the 3<sup>rd</sup> respondent justifying the registration of both sale deeds dated 27-03-2015 and 14-03-2016 respectively.

It is not a case, where there was any unilateral cancellation. According to the petitioner, the 4<sup>th</sup> respondent executed two sale deeds, one in favour of the petitioner and another in favour of the 5<sup>th</sup> respondent. Counter affidavit filed by the 3<sup>rd</sup> respondent justifies registration of both sale deeds. These are disputed questions of fact, which cannot be gone into in the writ petition. The petitioner wants declaration of cancellation of sale deed dated 14-03-2016, it is for the petitioner to avail remedy under Section 31 of Specific

Relief Act ( for short “the Act”) for cancellation of the same.

In view of the same, I am not inclined to entertain the writ petition.

Accordingly, the writ petition is dismissed granting liberty to the petitioner to avail remedy under Section 31 of the Act.

As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

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**A.RAJASHEKER REDDY,J**

23-08-2016

Nvl

