

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.26357 OF 2017

Dated:08.08.2017

Between:

Smt. T.E. Prema Kumari @ G.A. Prema
Kumari, W/o. Late Amruth Rao,
Aged 66 years, Occ: Retired Teacher,
R/o.H.No.29-1509, Hill Colony,
Neredmet, Malkajgiri, Ranga Reddy
District and another

.. Petitioners

And

The State of Telangana, rep., by its
Secretary, Department of Revenue,
Secretariat, Hyderabad and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.26357 OF 2017****ORDER:**

Petitioners allege that late Gona Amruth Rao, husband of the 1st petitioner, was the original owner of residential property admeasuring 110 sq. yards bearing H.No.29-1509, Hills Colony, Neredmet, Malkajgiri, Ranga Reddy District. After his demise, petitioners are residing in the said house. Respondent No.6, who is another son of the 1st petitioner, and respondent No.5, wife of respondent No.6, conspired and by misrepresentation illegally obtained assignment patta on 31.05.2015; thereafter respondent No.5 filed O.S.No.251 of 2015 which is pending in the Court of Additional Junior Civil Judge at Malkajgiri, Ranga Reddy District. Petitioners instituted O.S.No.308 of 2015 which is also pending in the same Court. According to the petitioners, respondent No.5 herein filed I.A.No.1374 of 2015 in the suit instituted by her. Petitioners also filed I.A.No.1619 of 2015, but no injunction was granted. Therefore, the petitioners submit that the revenue record should be corrected and name of the petitioners should be reflected.

2. The facts as noted above disclose that there is an *inter se* dispute among the family members and two suits are pending consideration in the Court of Additional Junior Civil Judge at Malkajgiri. Respondent No.5 filed I.A.No.1374 of 2015 in the suit filed by her and petitioners filed I.A.No.1619 of 2015 seeking temporary injunction in the suit instituted by them. On consideration of the rival claims, both I.As. were dismissed by

order dated 19.04.2016 holding that both of them have not made out *prima facie* case and balance of convenience is not in their favour.

3. Having regard to these facts, no direction as sought for can be granted directing the revenue authorities to cancel/change the name of the petitioners in the revenue records which was the grievance ventilated by them in their representation dated 23.01.2017 submitted to the Revenue Divisional Officer and Tahsildar.

4. The Writ Petition is accordingly dismissed leaving it open to the petitioners to work out their remedies as available in the pending suit. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in the Writ Petition shall stand closed.

Date:08.08.2017

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P. NAVEEN RAO, J