

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.515 of 2006

ORDER:

The petitioner states that she filed O.S.No.10 of 2005 in the Court of the Principal Senior Civil Judge, Ranga Reddy District, for partition against respondent Nos.2 to 10 herein, who are her father, brother and other coparceners. An interim injunction was granted by the trial Court in I.A.No.23 of 2005 on 18.01.2005 not to alienate the proprieties to the third party during the pendency of the Original Suit. She states that the interim order was subsisting. In spite of the same, the first respondent registered the documents executed by respondent Nos.2 to 9 including the document No.2338 of 2005, dated 14.03.2005. In those circumstances, she issued a notice on 28.11.2005 bringing to the notice of the first respondent about the amendment to the Board Standing Orders under G.O.Ms.No.620, dated 28.09.2002, amending the Board Standing order No.219. In view of the said Government Order, the first respondent cannot register the documents. Challenging the action of the first respondent in registering the documents executed by respondent Nos.2 to 10 in violation of the injunction orders, the present Writ Petition is filed.

A perusal of the order in I.A.No.23 of 2005 filed along with the Writ Petition shows that the order was passed on 18.01.2005 granting interim injunction in respect of agricultural land bearing Survey No.104 admeasuring Ac.1.18

guntas, Survey No.105 admeasuring Ac.1.26 guntas, Survey No.109 admeasuring Ac.1.28 guntas totally admeasuring Acs.4.32 guntas situated at Badangpet Village, Saroornagar Mandal in Ranga Reddy District. Even if the first respondent registered the documents contrary to the Government Orders and the interim orders issued by the trial Court, it is always open to the petitioner to bring it to the notice of the trial Court and take appropriate steps in accordance with law in the pending proceedings. This Court cannot set aside the registered documents in the present proceedings, though they were in violation of the injunction orders and the Government Orders in view of the pendency of the suit. It is not known whether the suit was disposed of as on today or not.

In the circumstances, giving liberty to the petitioner to take appropriate legal proceedings, if advised, for cancellation of the sale deed already executed by the respondents, the Writ Petition is disposed of. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

22.06.2017
vs