

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.39579 OF 2016

ORDER :

This writ petition is filed assailing the refusal order No.65 of 2016, dated 20.10.2016 issued by the 2nd respondent refusing to register the sale deed presented by the petitioners for sale on the ground that *status quo* orders are operating in I.A.No.42 of 2010 in O.S.No.51 of 2006 on the file of Senior Civil Judge, Kadapa in respect of the subject property in the writ petition.

Heard learned counsel for the petitioners and learned Assistant Government Pleader for Revenue.

Learned counsel for the petitioners submit that injunction sought in I.A.No.42 of 2010 in O.S.No.51 of 2006 is only against the 8th respondent in the suit and there is no interim order operating against the writ petitioners in the suit, as such, the 2nd respondent has erroneously passed impugned order.

A perusal of the order in I.A.No.42 of 2010 in O.S.No.51 of 2006 goes to show that the 3rd respondent sought for injunction only against the 8th respondent and not against other respondents. Though 1st petitioner is a party to the suit OS No.51 of 2006, there is no injunction against him. Though notice is issued to 3rd respondent and served, none appeared on his behalf.

In view of the same, the impugned order dated 20.10.2016 is set aside and 2nd respondent is directed to entertain the sale deed presented by the petitioners and register the same, in accordance with law.

Accordingly, the writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, shall stand closed.

A.RAJASHEKER REDDY, J

20.01.2017

kvs



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