

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.3116 of 2018

ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for respondents 1 to 4.

2. The petitioner claims to be the absolute owner and possessor of land to an extent of Ac.3-34 guntas in Survey No.1922 of Madikonda Village of Kazipet Mandal, Warangal District, having purchased the same under a registered Sale Deed, dated 20.01.2009 from one Katta Veeralakshmi. She states that she has been in possession and enjoyment of the same since then. She also states that the fifth respondent purchased an extent of Ac.7-28 gutas in Survey No.1922 from his own brother in the year 1978 and he got pattadar passbooks and title deeds. Challenging the pattadar passbooks and title deeds issued in favour of the fifth respondent, the petitioner filed an appeal before the third respondent and the third respondent passed an order cancelling the pattadar passbooks and title deeds by proceedings, dated 30.04.2011. Challenging the same, the fifth respondent filed revision before the second respondent and the second respondent allowed the said revision by order, dated 07.07.2012. Challenging the order, dated 07.07.2012, the petitioner filed W.P.No.25570 of 2012 and the same is pending before this Court. The fifth respondent also filed O.S.No.71 of 2011 for declaration of his title and the same is also pending. While so, when the fourth respondent issued a notice on 10.01.2018 for implementation of orders of the second respondent, dated 07.07.2012 in respect of land to an extent of Ac.3-34 guntas claimed by the petitioner and asked the petitioner to attend the office on 27.01.2018 with documentary evidence in support of her claim, the present Writ Petition is filed.

3. As stated above, the second respondent passed order in favour of the fifth respondent in respect of Ac.7-28 guntas situated in Survey No.1922, and probably the petitioner is claiming an extent of Ac.3-34 guntas out of the said land. Though the petitioner challenged the order passed by the second respondent, dated 07.07.2012 in W.P.No.25570 of 2012, there is no interim order suspending the said proceedings. The fourth respondent issued the impugned notice only to implement the order of the second respondent, dated 07.07.2012, and it cannot be held to be illegal.

4. In the circumstances, this Court sees no ground to entertain the present Writ Petition and accordingly, the Writ Petition is dismissed. However, the rights of the petitioner will be subject to orders to be determined in pending W.P.No.25570 of 2012.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

FEBRUARY 01, 2018

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Date: 01.02.2018

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