

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.7542 OF 2017

ORDER:

Heard Sri Mahathi Medabalimi, learned counsel for the petitioner, learned Government Pleader for Panchayat Raj and Rural Development (TG) and the learned Government Pleader for Revenue (TG) appearing for respondent Nos.1 to 3, Sri G.Narender Reddy, learned Standing Counsel appearing for respondent No.4, and Sri G.Dinesh Patil, learned counsel appearing for respondent No.5.

2. The short grievance of the petitioner in the present writ petition is the alleged inaction on the part of respondent No.4 in considering the application said to have been made on 21.10.2016 submitted with a request to change the house number i.e., H.No.3-104 situated at Jadijamalpur Village, Bodhan Mandal, Nizamabad District from Smt Chigurupati Jagannadamma to the name of the petitioner in the Gram Panchayat records.

3. According to the petitioner, he purchased the said house from Smt Ch.Jagannadamma, W/o.late Sri Shiva Rama Krishnaiah by way of a registered document No.5815/2016. On the other hand, it is stated in the affidavit filed in support of the impleaded respondent No.5 that respondent No.5 herein is the son of Smt Ch.Jagannadamma, vendor of the writ petitioner. It is further stated that with a *mala fide* intention and in a clandestine manner, she sold the subject property to the petitioner and that the property belongs to late Sri Ch.Shiva Rama Krishnaiah. It is also stated that respondent No.5 submitted an application before the

Gram Panchayat Secretary, Jadijamalpur Village with a request to stop the mutation proceedings for the above mentioned transaction on the basis of a will deed, dated 01.01.2015, said to have been executed by the father of respondent No.5 during his life time. It is also stated in the said affidavit that in O.S.No.10 of 2017 filed by the mother of respondent No.5 for partition, respondent No.5 filed a counter-claim and sought for the relief of declaration to declare the registered sale deed *vide* document No.5815/2016, dated 01.10.2016, as null and void.

4. Having regard to the facts and circumstances of the case and the submissions of the learned counsel for the petitioner, learned Government Pleaders, learned Standing Counsel appearing for respondent No.4 Gram Panchayat and the learned counsel appearing for respondent No.5, this Court deems it appropriate to dispose of the present writ petition with a direction to respondent No.4 to verify the application, dated 21.10.2016, of the petitioner if it is in accordance with law and to pass appropriate orders strictly as per law after giving notice to all the stakeholders.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

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

JUSTICE A.V.SESHA SAI

Date : 02.01.2018
AMD

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