

HONOURABLE SRI JUSTICE SANJAY KUMAR

W R I T P E T I T I O N No.4179 OF 2019

O R D E R:

1 The prayer of the petitioner in this case reads as under:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon’ble Court may be pleased to issue writ or direction more particularly one in the nature of writ of mandamus declaring the action of the 2nd respondent in going ahead with the proceedings for issuing the orders in favour of the 4th respondent and her sisters for conversion of agriculture land in Sy No 64/A7 admeasuring Ac 100 at Nagavaram Village Wanaparthi Mandal and District into noagriculture without considering the objections and documents submitted by the petitioner as illegal unlawful and consequently direct the 2nd respondent not to grant conversion order in respect of the above land in favour of the 5th respondent and pass such other order or orders as this Hon’ble Court may deem fit just and proper in the circumstances of the case.”

2 It is the case of the petitioner that her sister, by name, Mandadi Lakshamma, who is mentally challenged, was made to execute a registered gift-cum-settlement deed dated 18.01.2017 in favour of respondent Nos.4 and 5 herein and on the strength thereof, they are seeking relief from the revenue authorities with regard to change of land use.

3 Perusal of the record reflects that O.S.No.59 of 2017 was filed in the name of Mandadi Lakshamma before the learned Junior Civil Judge, Wanaparthi, wherein the petitioner herself is representing the plaintiff on the ground that she is suffering from an abnormal mental condition. The prayer in the said suit is to cancel the registered gift-cum-settlement deed dated 18.01.2017. The 4th respondent herein is arrayed as the first defendant in the said suit. Sri M. Damodar Reddy, learned counsel for the petitioner, would inform this Court that the 4th respondent herein sold the subject property to the 5th respondent and steps are being taken to implead him in the suit.

4 In the light of the aforestated admitted facts, it is not for this Court to interdict the revenue authorities from acting upon an application

submitted by someone who is supported by a duly registered document of title. As the petitioner has already instituted a suit before the competent civil Court in the name of her sister, Mandadi Lakshmamma, it is for her to take appropriate steps in the said suit if she seeks any interim relief in relation to the property covered by the document that is sought to be cancelled. Without taking recourse to such a measure, it is not open to the petitioner to file a Writ Petition independently, unnecessarily leading to multiplicity of proceedings.

5 On the aforestated grounds, this Court is not inclined to entertain this Writ Petition. The Writ Petition is accordingly dismissed leaving it open to the petitioner to take appropriate steps in the pending suit, if so advised.

6 Pending Miscellaneous Petitions, if any, shall also stand dismissed.
No order as to costs.

28th February, 2019
Kvsn

JUSTICE SANJAY KUMAR