

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.11710 OF 2019

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

2. According to the petitioner, the land to an extent of Acs.9.32 gts., in Sy.Nos.135 & 136 of Rajampeta Basanthapuram Village, Yadagirigutta Mandal, Nalgonda District, is the joint family property. The petitioner instituted O.S. No.31 of 2013 in the Court of the Junior Civil Judge, Alaru, praying to grant partition of the joint family property. By judgment and decree dated 27.12.2013, the trial Court held that the petitioner is entitled to 1/6th share of the joint family property. It appears that the final decree proceedings are pending. While so, the petitioner apprehends that the Revenue Authorities are in the process of taking up mutation proceedings in favour of the unofficial respondents, who are the family members of the petitioner, depriving the entitlement of her 1/6th share in the joint family property. Therefore, she caused legal notice on 18.07.2017. Alleging inaction on the part of the respondents, this writ petition is filed.

3. *Prima facie* reading of the legal notice and the averments in the writ petition would show that though the petitioner was granted decree in her favour and is entitled to 1/6th share, she apprehends that the respondent authorities may mutate the names of

the unofficial respondents in the revenue records. However, as the final decree proceedings are pending, the name of the petitioner also cannot be reflected in the revenue records. It is always open to the petitioner, being the plaintiff in the suit, to file an appropriate application to protect her interest. As the cause in the writ petition is premature and the final decree proceedings are pending before the competent civil Court, this Court is not inclined to grant the relief sought for by the petitioner.

4. The writ petition is accordingly dismissed. No order as to costs. Pending miscellaneous petitions, if any, shall stand closed.

August 05, 2019

KTL

P.NAVEEN RAO, J

