THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

Writ Petition No.12317 of 2019

ORDER:

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

2. Vide Proceedings dt.29.12.2017, the Tahsildar, Choutuppal, straightaway mutated the names of the unofficial respondents in the Revenue records based in the registered sale deed dt.31.03.2017 to an extent of land of Acs.25.37 guntas in Sy.No.309, 310 and 311 situated at Tangadapally Village, Choutuppal Mandal, Nalgonda District (Old) Yadadri-Ghuvanagiri District (New).

3. The petitioner's claim is that the said extent of land is a joint family property and he filed O.S. No.111 of 2017 on the file of the V Additional District Judge at Bhongir for grant of decree of partition. Pending said suit, the learned trial Court granted injunction vide order dt.01.09.2017 in I.A. No.304 of 2017 in O.S.No.111 of 2017 against alienation of the joint family property by the members of the family of the petitioner. In spite of the injunction order granted by the learned trial Court, the Tahsildar mutated the names of the unofficial respondents in the Revenue records.

4. Aggrieved by the same, the petitioner preferred an appeal bearing No.B/792/2018 before the Revenue Divisional Officer, Choutuppal Division and the said appeal is pending consideration. At that stage, the petitioner apprehends that the Tahsildar is in a process of mutating the names of the unofficial respondents and for issuance Pattadar Pass Book in favour of the unofficial respondents. In such an event, grave prejudice would be caused to the petitioner.

5. From the material placed on record, it is apparent that the petitioner also filed I.A. in the pending appeal but no orders are passed in the said I.A. The Tahsildar took note of the date of registration of sale transaction, injunction order granted by the trail Court and then by reasoned order mutated the names of the unofficial respondents, who purchased the property.

6. Thus, the prayer sought for in this writ petition cannot be granted. It is for the petitioner to impress upon the Revenue Divisional Officer for expeditious hearing of appeal or to pass orders in interlocutory application.

7. I.A./appeal shall be considered and disposed of as expeditiously as possible, preferably within a period of eight (08) weeks, from the date of receipt of a copy of this order.

8. With the above, this Writ Petition is disposed of. There shall be no order as to costs.

9. As a sequel, miscellaneous applications, if any pending, shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 05.08.2019
LSK