

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.12597 of 2019

ORDER:

Heard.

2. Petitioner claims to be the absolute owner and possessor of land to an extent of Ac.1.00 guntas in survey No.690/1 of Dondapadu Revenue Village, Chintalapalem Mandal, Suryapet District, having purchased the same for a valid consideration through registered sale deed dated 12.01.2017 from the 7th respondent. Petitioner claims to be in possession and enjoyment of the same consequent to the purchase made by him. The Tahasildar issued mutation orders on 12.03.2017 and included the name of the petitioner in pattadar pass books and title deeds. That being so, a person by name K.Laxma Reddy, who is arrayed as 6th respondent herein, filed ROR Revision Case No.F2/3460/2018 and the same is pending before the Joint Collector, Suryapet. The vendor of the petitioner is the respondent in the said proceedings. Having come to know that the ROR proceedings are pending, petitioner filed an application to implead him as respondent. This application is said to be pending before the Joint Collector. While so, on 16.05.2019, the Joint Collector passed orders staying the orders of the 5th respondent herein with reference to issuance of 13-B proceedings in respect of land to an extent of Ac.1.10 guntas in survey No.690 of Dondapadu Revenue Village. The order dated 16.05.2019 also states that the implead application filed by the petitioner would be considered on 22.06.2019.

3. Learned counsel for the petitioner would inform that on 22.06.2019 proceedings have not taken place and the matter stood adjourned. He further submits that as per his knowledge there is no 13-B certificate issued on 14.01.2014 in favour of the 7th respondent and the 7th respondent succeeded to the ancestral property.

4. Be that as it may, the proceedings are pending before the Joint Collector and petitioner's application for impleadment is also pending before him. Hence, this Court is not inclined to entertain the writ petition and keep the writ petition pending. However, the Joint Collector ought not have passed interlocutory orders without considering the claim of the implead petitioner. Therefore, the Joint Collector is directed to advance the date of hearing of the application of the petitioner for impleadment as respondent expeditiously within a period of two weeks from the date of receipt of a copy of this order. He shall also consider the further continuation of the interim orders passed on 16.05.2019 *vis-à-vis* duly taking note of the balance of conveyance of the respective parties. In the meantime, it is open to the petitioner to file an application for vacation of the interim orders. If such application is filed, the Joint Collector shall consider the vacate application along with the implead application and take decision after hearing the parties. All contentions are left open to be adjudicated before the Joint Collector.

5. Accordingly, the Writ Petition is disposed of.

Miscellaneous Petitions pending in this Writ Petition, if any,
shall stand closed. No order as to costs.

P.NAVEEN RAO, J

28th June, 2019.
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