

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 12766 of 2019

Date : 26.6.2019

Between:

Ramavath Chandu S/o Vastya Aged 40 yrs
Occ Agriculture R/o Thidedu Laxma Thanda village
Chinthapally Mandal Nalgonda District

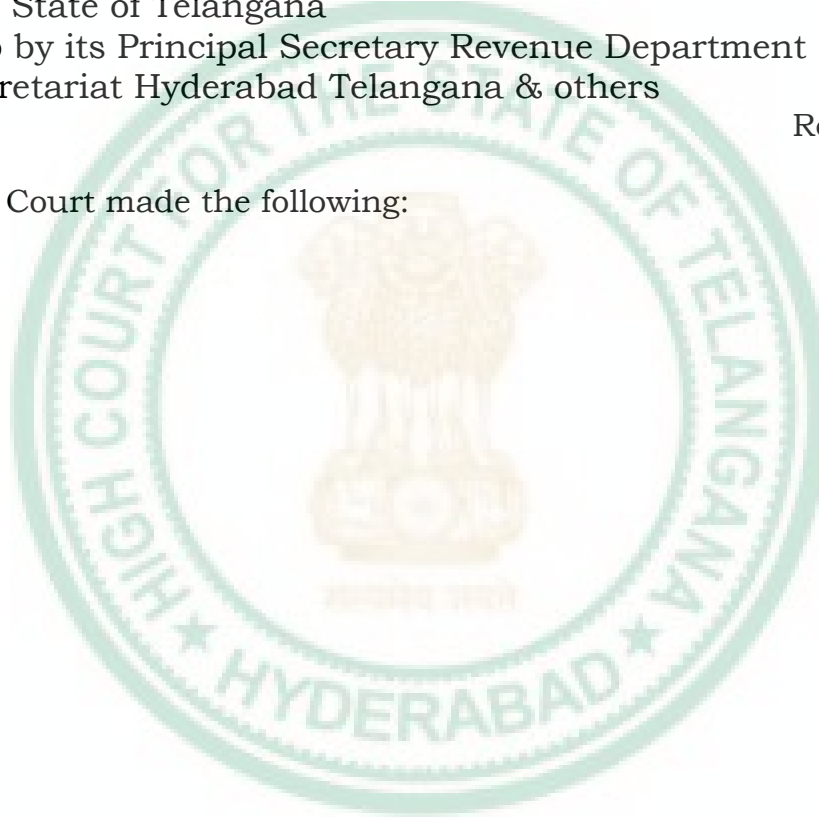
Petitioner

And

The State of Telangana
Rep by its Principal Secretary Revenue Department
Secretariat Hyderabad Telangana & others

Respondents

The Court made the following:



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ORAL ORDER:

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

2. Petitioner claims that he purchased Ac. 2.23 guntas in survey Nos. 27/A, 30/A, 31/A, 28/A2, 29/A. 29/A1/1, Sheripally village, Devarakonda mandal through registered sale deed dated 20.10.2018. Armed with the registered sale deed, he applied for mutation of his name in the revenue records. By impugned memo dated 11.6.2019 petitioner was informed that as the learned Senior Civil Judge, Nalgonda granted order of status quo in I.A. No. 1328 of 2018 in O.S No. 377 of 2018, no action can be taken on his request for mutation. The said memo is under challenge in this writ petition.

3. According to learned counsel for petitioner, firstly, petitioner is not party to the pending suit, therefore he is no way concerned with the issue raised therein and thus by relying on interim order passed in the suit, his request for mutation cannot be denied. He further contends that as can be seen from the schedule annexed to the pending suit, the entire extent of land purchased by the petitioner is covered by different survey numbers, therefore, notice ought to have been issued to petitioner.

4. Prima facie, it is seen from the registered sale document dated 20.10.2018 that there is no separate identification of the extent of the land in different survey numbers and cumulatively total extent was mentioned as Ac.2.23 guntas by mentioning the survey numbers. From

the schedule it is seen that some of the survey numbers mentioned in the sale deed are also covered by interim order of status quo. Vendors of the petitioners are defendants in the suit. Interim order of status quo was passed on 12.10.2018 much prior to registration of sale deed. Since it is one document containing several survey numbers indicating total extent of land, same being subject matter of pending suit, I do not see any illegality in Tahsildar referring to the factum of status quo order granted by competent civil Court and informing the petitioner that no action can be taken on his request for mutation. In the circumstances, writ petition is dismissed leaving it open to the petitioner to workout his remedies with reference to pending litigation before the competent civil Court. Miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

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TVK

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