

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

(Special Original Jurisdiction)

MONDAY, THE SEVENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION NO: 28748 OF 2022

Between:

1. Syed Faqhuuddin Quadri, S/o Late Rajauddin Quadri, Occ. Private Employee R/o H.No.2-107/2, Keshavreddy Nagar Colony, Meerpet, Balapur, R.R.District
2. Smt. Ameena Begum, W/o Late Syed Raheemuddin, Occ. Housewife, R/o H.No.2-107/2, Keshavreddy Nagar Colony, Meerpet, Balapur, R.R.District
3. Syed Fareeduddin Quadri, S/o Late Raheemuddin Quadri, Occ. Business, R/o H.No.2-107/2, Keshavreddy Nagar Colony, Meerpet, Balapur, R.R.District
4. Syed Muzeebuddin Quadri, S/o Late Syed Raheemuddin, Occ. Business, R/o H.No.2-107/2, Keshavreddy Nagar Colony, Meerpet, Balapur, R.R.District
5. Syed Mohiuddin Quadri, S/o Late Syed Raheemuddin, Occ. Business, R/o H.No.2-107/2, Keshavreddy Nagar Colony, Meerpet, Balapur, R.R.District

...PETITIONERS

AND

1. The State of Telangana, Rep. by its Principal Secretary, Department of Revenue, Secretariat, Hyderabad.
2. Inspector General of Stamps and Registration, Telangana State, Moazzam Jahi Market, Hyderabad.
3. The District Registrar, Ranga Reddy District At Prashanth Nagar, IDPL, R.R.District.
4. The Sub Registrar, Ibrahimpatnam, Ranga Reddy District
5. Saatu Jyothi, W/o S Dasarath Occ Agricultural Labour R/o Kongarakalan (V) Ibrahimpatnam (M) Ranga Reddy District TS
6. Punyamurthy Andaalu, W/o Late P Ramesh Om Housewife C/o S Jyothi R/o Kongarakalan (V) Ibrahimpatnam (M) Ranga Reddy District TS
7. Neela Mallesh, S/o Late Venkata Swamy Occ Toddy Tapper R/o Kongarakalan (V) Ibrahimpatnam (M) Ranga Reddy District
8. Neela Shekar, S/o Late Venkata Swamy Occ Toddy Tapper R/o Kongarakalan (V) Ibrahimpatnam (M) Ranga Reddy District
9. Neela Ramesh, S/o Late Venkata Swamy Occ Pvt Employee R/o Kongarakalan (V) Ibrahimpatnam (M) Ranga Reddy District
10. Neela Kumar, S/o Late Venkata Swamy Occ Business R/o Kongarakalan (V) Ibrahimpatnam (M) Ranga Reddy District
11. Neela Ravinder, S/o Late Venkata Swamy Occ Toddy Tapper R/o Kongarakalan (V) Ibrahimpatnam (M) Ranga Reddy District

12. Neela Yadagiri, S/o Late Venkata Swamy Occ toddy Tapper R/o Kongarakalan (V) Ibrahimpatnam (M) Ranga Reddy district
13. Neela Praveen, S/o Late Venkata Swamy Occ Pvt Employee R/o Kongarakalan (V) Ibrahimpatnam (M) Ranga Reddy District
14. Golla Venkataiah Saatu Venkataiah, S/o GollaSathaiah Occ Agriculture R/o Kongarakalan (V) Ibrahimpatnam (M) Ranga Reddy District

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of a Writ of Mandamus declaring the action of the official respondents especially 4th respondent in trying to entertain the transfer of the property admeasuring Ac.1-00 gts situated in Sy.No.40, Ac.0-20 gts in Sy.No.40/1 total admeasuring Ac.1-20 gts, Ac.2-00 gts in Sy.No.63 situated in Kongara Kalan village, Ibrahimpatnam Mandal, Ranga Reddy District belongs to the petitioners as arbitrary, illegal and in violation of Articles 14, 21 and 300-A of the Constitution of India and consequently direct the respondents not to transfer the property admeasuring Ac.1-00 gts situated in Sy.No.40, Ac.0-20 gts in Sy.No.40/1 total admeasuring Ac.1-20 gts, Ac.2-00 gts in Sy.No.63 situated in Kongara Kalan village, Ibrahimpatnam Mandal, Ranga Reddy District by considering the representation of the petitioners dated 16/05/2022;

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents not to transfer the property admeasuring Ac.1-00 gts situated in Sy.No.40, Ac.0-20 gts in Sy.No.40/1 total admeasuring Ac.1-20 gts, Ac.2-00 gts in Sy.No.63 situated in Kongara Kalan village, Ibrahimpatnam Mandal, Ranga Reddy District by considering the representation of the petitioners dated 16/05/2022,

IA NO: 2 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to implead the proposed respondent as respondent No.15 in W.P. NO.28748 OF 2022 in the interest of justice

Counsel for the Petitioners : SRI K SAI KRISHNA MOHAN RAO

Counsel for the Respondent Nos. 1 to 4: GP FOR REVENUE (TG)

The Court made the following:

THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION No. 28748 OF 2022

ORDER:

Heard learned counsel for the petitioners and learned Assistant Government Pleader for Revenue for respondent Nos.1 to 4.

2. It is the case of the petitioners that one late Rajauddin Quadri was the absolute owner and possessor of land admeasuring Ac.1.00 gts., Ac.0.20 gts., and Acs.2.00 gts situated in Sy.Nos.40, 40/1 and 63 of Kongara Kalan Village, Ibrahimpatnam Mandal, Rangareddy District and after his demise, the petitioners herein claim to have succeeded to the said extent of land. However, according to the petitioners, the names of Saatu Jyothi and others were entered in the Revenue records and in view of the same, the petitioners herein claim to have filed O.S.No.232 of 2021 on the file of the Court of Senior Civil Judge, Ranga Reddy District at Ibrahimpatnam along with I.A.No.121 of 2021. However, as no interim orders are passed in the said I.A.No.121 of 2021, the petitioners herein approached this Court by filing C.R.P.No.1940 of 2021, and initially an interim order was passed by this Court in

the said C.R.P. However, finally, the said C.R.P. came to be dismissed with a direction to the learned trial Court to dispose of the Interlocutory application pending in the suit as expeditiously as possible preferably within a period of one (01) month from the date of receipt of a copy of the said order. As the said Interlocutory application has not been disposed of within the time stipulated by this Court and the third parties are trying to alienate the subject property, the petitioners claim to have submitted a representation dated 16.05.2022 before respondent No.4 requesting not to entertain any transfer of property in respect of the subject property, not to receive and register any documents in respect of the subject property. Complaining the in action on the part of respondent No.4, the present Writ Petition is filed.

3. When this matter came up for consideration on 20.10.2022, this Court, called for a report from the Court of the Senior Civil Judge, Rangareddy District at Ibrahimpatnam, as to why the Interlocutory Application pending in O.S.No.232 of 2021 has not been disposed of in spite of order passed by this Court in C.R.P.No.1940 of 2021. In response thereto, a report is submitted by the learned trial Court bringing to the notice of this Court that

the said Interlocutory Application was already disposed of on merits by an order dated 11.10.2022.

4. In the light of above facts and circumstances, this Court is of the considered view that no positive direction can be issued to respondent No.4 not to receive and register any document in respect of the subject property, in the absence of any restraint order passed by the competent Civil Court restraining the parties to the suit or respondent No.4 from registering the documents in respect of the subject property, nor direct the respondent No.4 to consider the representation dated 16.05.2022, for the very same reasons as noted hereinabove.

5. Hence, the Writ Petition is dismissed. However it is open for the petitioners to avail the remedies otherwise available under law by virtue of the orders passed in the Interlocutory Application in the pending suit or by filing a fresh application, as may be advised, in accordance with law.

As a sequel, miscellaneous petitions, pending if any in this Writ Petition, shall stand dismissed. There shall be no order as to costs.

SD/- B. CHANDRA PRAKASH
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. One CC to SRI. K SAI KRISHNA MOHAN RAO Advocate [OPUC]
2. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, Hyderabad.
[OUT]
3. Two CD Copies

HIGH COURT

MSK, J

DATED: 07/11/2022

ORDER

WP.No.28748 of 2022



**WRIT PETITION IS DISMISSED
OF WITHOUT COSTS**