

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**WEDNESDAY, THE TWENTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HON'BLE SHRI JUSTICE ANIL KUMAR JUKANTI**

WRIT APPEAL NO.484 OF 2013

Writ Appeal under clause 15 of the Letters Patent against the order dated 29.01.2013 in W.P. No. 37381 of 2012 on the file of the High Court.

Between:

Andhra Pradesh State Wakf Board, Represented by its Chief Executive Officer, Opp. Public Gardens, Nampally, Hyderabad.

...APPELLANT

AND

1. D. Kishan Rao, S/o D. Narsing Rao, Occ: Agriculture, R/o H.No. 2-2-99/3/4, Old Bus Stand, Kidvaipet, Mahabubnagar Town
2. M. Narasimulu, S/o M. Venkata Swamy, Occ Retd. Govt. Service, R/o H.No. 8-6-64, Padmathi Colony, Mahabubnagar Town.

....RESPONDENTS/WRIT PETITIONERS

3. The District Collector, Mahabubnagar District, Mahabubnagar.
4. The District Registrar, Mahabubnagar District.
5. The Sub Registrar, Mahabubnagar.

...RESPONDENTS

I.A. NO: 1 OF 2013(WAMP. NO: 1228 OF 2013)

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 grant stay of operation, effect and implementation or any consequence by virtue

of the orders dated 29.01.2013 passed in WP No. 37381 of 2012 by the learned Single Judge in the interest of justice.

Counsel for the Appellant: SRI ASHUTOSH JOSHI, S.C. FOR TSWB

Counsel for the Respondent Nos.1 & 2: SRI M. DAMODAR REDDY

Counsel for the Respondent Nos. 3 to 5: GP FOR REVENUE

The Court made the following: JUDGMENT

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HON'BLE SHRI JUSTICE ANIL KUMAR JUKANTI**

WRIT APPEAL No.484 of 2013

JUDGMENT: (per the Hon'ble the Chief Justice Alok Aradhe)

Mr. Ashutosh B. Joshi, learned counsel appears for the appellant.

Mr. M. Damodar Reddy, learned counsel appears for respondent Nos.1 and 2.

2. This intra court appeal arises out of an order dated 29.01.2013 by which Writ Petition No.37381 of 2012 preferred by respondent Nos.1 and 2 was disposed of with the direction to the Sub-Registrar, Mahabubnagar, to receive the document sought to be presented by the writ petitioners and to deal with the same in accordance with law.

3. Learned counsel for respondent Nos.1 and 2 submits that in compliance with the aforesaid direction, the document has already been registered and therefore, the appellant if aggrieved, must take recourse to the remedy provided under

Section 72 of the Registration Act, 1908 (hereinafter referred to as 'the Act').

4. The aforesaid submission is placed on record and the appellant is at liberty to take recourse to the remedy provided under Section 72 of the Act. Needless to state that if such an appeal is filed within a period of four weeks from today, the same shall be treated to be within limitation and shall be decided by the appellate authority on merits.

5. With the aforesaid liberty, the Writ Appeal is disposed of.

Miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

//TRUE COPY//

SD/- B.SATYAVATHI
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The District Collector, Mahabubnagar District, Mahabubnagar.
2. The District Registrar, Mahabubnagar District.
3. The Sub Registrar, Mahabubnagar.
4. One CC to SRI ASHUTOSH JOSHI, S.C. for TSWB [OPUC]
5. One CC to SRI M. DAMODAR REDDY, Advocate [OPUC]
6. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad [OUT]
7. Two CD Copies

MP
GJ



HIGH COURT

DATED: ~~20/12/2023~~



JUDGMENT

WA.No.484 of 2013

**DISPOSING OF THE WRIT APPEAL
WITHOUT COSTS**

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