

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

**MONDAY, THE EIGHTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

**THE HONOURABLE SRI JUSTICE P.SAM KOSHY
AND
THE HONOURABLE SRI JUSTICE N.TUKARAMJI**

WRIT PETITION NO: 34105 OF 2023

Between:

Mr. Yennam Krishna Reddy, S/o Mr.Janga Reddy, Aged 68 years, Occ.
Agricultural, R/o No.1-59 Veldanda Mandal, Nagar Kumool District.

...PETITIONER

AND

1. The Lok Adalat, District Legal Services Authority, At Mahaboobnagar.
2. The Tahasildar and Jr.Sub Registrar, Veldanda Mandal, No.7-153, Veldanda Main Road Veldanda Nagarkurnool District Pin.509 360.
3. Mr.Pamanigalla Vikas, S/o Late Mr.Anjaneya Gupta, Aged 32 years, Occupation. Business Rio H.No.1-10-48/A Plot No.205 Ashoka Ratna Apartments, Ashok Nagar Hyderabad 500 020
4. Mr.Goli Sudhakar Reddy, S/o Mr.Narayan Reddy, Aged 69 years, Occupation. Retd.Employee, Rio Cherukuri Village, Narayanpur Hamlet, Veldanda Mandal, Mahaboobnagar District.
5. Mr.Gande Purushotham, S/o Late Mr.Purahari, Aged 47 years, Occupation. Business, Rio H.No.9-153, Devarkonda Village and Mandal Nalgonda District Telangana State
6. Mr.Pangunuri Chandrasekhar, S/o Mr.Sriramulu, Aged 47 years, Occupation. Business, Rio H.No.16-83, Devarkonda Village and Mandal, Nalgonda District Telangana State
7. Mr.Sivanuri Sai Ramana, S/o Mr.Naresh Kumar, Aged 29 years, Occupation. Business, R/o Plot No.17 Sitapati Colony, West Maredpally, Secunderabad
8. Mr.Sambhu Prabhakar, S/o Mr.Narsimulu, Aged 68 years, Occupation. Business, Rio H.No.12-68/20, Tilak Nagar Kalwakurthy Village and Mandal, Mahaboobnagar District
9. M/s.Abisko Projects Private Limited, For Paduri Sashikanth S/o Mr.P.Ramsunder Reddy Aged 41 years, Occ.business, R/o No.11-6-30 Flat No.402 Arunadevi Nilayam, Pocharam bagh Saroornagar, Ranga Reddy District.

10. Mr. Pullagurram Surender Reddy, S/o Mr. P. Madhava Reddy Aged 51 years, Occ. Business, R/o No. 1-117, Turkayamjal, Abdullapumet, Ranga Reddy District 501 510.
11. Mr. Mohd. Darvesh, S/o Mr. Mohd. Suleman, Aged 43 years. Occ. Business, R/o No. 1-143/P Radhakrishna Colony, Kalwakurthy Nagar Kurnool Dist
12. M/s. Bhoormika Agro Farms P Ltd, No. 8-2-293 821.1310/AJA, Road No. 12 MLA Colony Banjara Hills. Hyderabad 500 0034

...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 an order, writ or direction more particularly one in the nature of writ of mandamus declaring the Award dt. 21/10/2019 passed in Lok Adalat Case No. 574 of 2019 in O.S. No. 58 of 2016 on the file of the Hon'ble VIII Additional District and Sessions Judge's Court at Mahabubnagar as null and void with reference to the Schedule 'B' of the Award as null and void.

IA NO: 1 OF 2023

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 leave to present the writ petition.

IA NO: 2 OF 2023

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 consequently declare that the sale deed dt. 21/11/2022 registered as document No. 2425 of 2022 in the office of Tahasildar and Jr. Sub Registrar, Veldanda Mandal, Nagar Kurnool District as cancelled.

IA NO: 3 OF 2023

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 consequently direct the respondent No. 2 to remove the name of respondent No. 10 Mr. P. Surender Reddy as pattadar.

IA NO: 4 OF 2023

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 respondent No.2 not to register further transactions over the writ petition property i.e., Ac.3-03 G in Sy.No.44/2 situated at Peddapur Village, veldanda Mandal, Ngarkurnool District pending dismissal of main writ petition.

Counsel for the Petitioner: SRI SRINIVAS SRIKANTH

Counsel for the Respondent No.1: SRI P.SHASHI KIRAN, SC

Counsel for the Respondent No.2: GP FOR REVENUE

Counsel for the Respondent No.3 to 12: --

The Court made the following: ORDER

**THE HONOURABLE SRI JUSTICE P.SAM KOSHY
AND
THE HONOURABLE SRI JUSTICE N.TUKARAMJI**

WRIT PETITION No.34105 OF 2023

ORDER:*(per Hon'ble Sri Justice P.SAM KOSHY)*

Heard Mr.Srinivas Srikanth, learned counsel for the petitioner and
Mr.P.Shashi Kiran, learned Standing Counsel for the respondent No.1.
Perused the material available on record.

2. The challenge in the present writ petition is to the award dated 21.10.2019 passed in O.S.No.58 of 2016 by the learned VIII Additional District Sessions Judge, Mehboobnagar.
3. The impugned award is an award which has been passed in a Lok Adalat held on 21.10.2019. The petitioner who has now filed a writ petition after more than four years from the date the award has been passed and he claims and said to be purchaser of the suit schedule property way back in 2019.
4. The reading of the contents of the writ petition and the documents enclosed herein, it is apparently clear that the petitioner was well aware of the dispute pending before the court below and was also made to believe that his interest was taken care of in the course of the settlement that would be arrived at between the parties. This in other ways means

that the petitioner was quite aware of the pendency of the litigation and the subsequent award which has been passed on 21.10.2019. For the past four years' time, the petitioner did not at any point of time raised any grievance or claim nor challenged the award so passed and have filed the writ petition only now in December, 2023.

5. For the aforesaid reasons, we are of the considered opinion that the writ petition for the aforesaid reason assailing the award passed in October, 2019 now cannot be entertained and the same deserves to be and is accordingly rejected.

6. Another fact which needs to be borne in mind is that in between the defendant No.1 in the O.S. himself at a later stage had filed a writ petition before this Court challenging the award which too subsequently stood withdrawn on 14.11.2023 i.e., in W.P.No.31490 of 2023. This further forces this Court to infer that the present writ petition now has been filed after the original defendant No.1 could not succeed in the attempt that was made at his behest challenging the impugned award and which made him convince the petitioner herein to file the fresh writ petition. For this reason also the writ petition is not worth entertaining and the same is accordingly rejected.

7. As a sequel, miscellaneous applications pending if any in this Writ Petition, shall stand closed. No order as to costs.

//TRUE COPY//

SD/-V.KAVITHA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. One CC to SRI SRINIVASA SRIKANTH, Advocate [OPUC]
2. One CC to SRI P.SHASHI KIRAN, SC [OPUC]
3. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT]
4. Two CD Copies

BSR
GJP

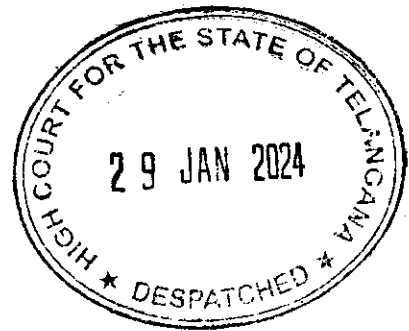
11/2/24

HIGH COURT

DATED: 18/12/2023

ORDER

WP.No.34105 of 2023



**REJECTING THE WRIT PETITION,
WITHOUT COSTS**

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18/1/24
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