

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

**FRIDAY, THE FIFTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

CIVIL REVISION PETITION NO: 320 OF 2024

Petition under Article 227 of the Constitution of India, against the Order made in I.A.No.401 of 2023 in O.S.No.216 of 2023 in O.S.No.230 of 2023 dated 10.01.2024 on the file of the Special Assistant Agent & Sub Divisional Magistrate, (Mobile Court) at Bhadrachalam.

Between:

Mohammad Sulthana Begum, W/o. Sarifuddin, Aged about 45 years, Occ Housewife, R/o. H. No. 10-2-277/1, Rama Talkies Area, Kothagudem town and Mandal, Bhadradi Kothagudem District.

...PETITIONER/PETITIONER/DEFENDANT

AND

Guguloth Sakunthala, W/o. Yugendhar, Aged about 36 years, Occ Agriculturist, R/o. H. No. 5- 32/40/14, Sanjaynagar village, Laxmidevipalli Mandal, Bhadradi Kothagudem District.

...RESPONDENT/RESPONDENT/PLAINTIFF

IA NO: 1 OF 2024

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 stay all further proceedings in O.S.No. 230 of 2023 on the file of the Court of the Special Assistant Agent and Sub Divisional Magistrate, (Mobile Court) at Bhadrachalam.

Counsel for the Petitioner : MOHD SUBHAN PASHA

Counsel for the Respondent: SRI R.R. KALYAN

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE E. V. VENUGOPAL

CIVIL REVISION PETITION No.320 of 2024

ORDER:

This revision case is filed to set aside the order dated 20.01.2024 in I.A.No.401 of 2023 in I.A.No.216 of 2023 in O.S.No.230 of 2023, on the file of the learned Court of Special Assistant Agent & Sub Divisional Magistrate (Mobile Court) at Bhadrachalam.

2. Learned counsel for the petitioner vehemently submits that the Sub Divisional Magistrate has dismissed I.A.No.401 of 2023 in I.A.No.216 of 2023 in O.S.No.230 of 2023 filed for appointment of an advocate Commissioner to note down the physical features and boundaries of the petition schedule property. He further submitted that no prejudice would be caused to the respondent if the physical measurements are noted by the Advocate Commissioner. But the learned Sub Divisional Magistrate, without going into the merits of the case, has dismissed the I.A. Hence, he seeks to allow the revision.

3. Learned counsel for the respondents would submit that the petitioner has filed W.P.No.15655 of 2023 before this Court seeking to issue a writ of mandamus for not taking action for the removal of illegal sheds to an extent of land admeasuring Acs.10.20 guntas in Sy.No.137/3, situated at Chunchupally Village and Mandal, Bhadri Kothagudem District and the same is pending. He would further submit that the petitioner is resorting to multiple proceedings to see that the petitioner's desire is fulfilled in one way or the other and would submit that the I.A. has been rightly dismissed by the learned Sub Divisional Magistrate. Hence, he seeks to dismiss the revision.

4. Upon perusing material placed before this Court, this Court does not find any reason to interfere with the order passed by the Court of Special Assistant Agent & Sub Divisional Magistrate (Mobile Court) at Bhadrachalam in I.A.No.401 of 2023 in I.A.No.216 of 2023 in O.S.No.230 of 2023.

5. Hence, the revision is dismissed. However, there shall be no order as to costs.

As a sequel, pending Miscellaneous Applications, if any, shall stand closed.

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Sd/- V. HARI PRASAD
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Special Assistant Agent & Sub Divisional Magistrate, (Mobile Court) at Bhadrachalam
2. One CC to Mohd Subhan Pasha , Advocate (OPUC)
3. One CC to Sri R.R.Kalyan, Advocate (OPUC)
4. Two CD Copies

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HIGH COURT

DATED:15/03/2024

ORDER

C.R.P.No.320 of 2024



**Dismissing the CRP
Without costs.**

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