

HIGH COURT FOR THE STATE OF TELANGANA

MAIN CASE NO.:C.M.A.NO.562 OF 2024

PROCEEDINGS SHEET

Sl. No.	Date	ORDER	OFFICE NOTE
03.	10.11.2025	<u>MB,J & GPK,J</u> Mr. A. Venkatesh, learned Senior Counsel representing Mr. Murthy Maan, learned counsel for the petitioners/respondent Nos.1 and 2. Mr. K.S. Suneel, learned counsel appearing for the respondent No.1/appellant. <u>I.A.No.3 of 2025</u> This is the second round of litigation after disposal of the main C.M.A. (C.M.A.No.562 of 2024) on 08.10.2025. The respondents herein are the defendants in a Suit in O.S.No.1042 of 2022 filed by the petitioners before the learned III Additional District Judge, Ranga Reddy District at L.B. Nagar. It is evident from the submissions made by learned Senior Counsel appearing for the petitioners/plaintiffs that many relevant facts were not brought to the notice of the Court by counsel who represented the parties on 08.10.2025. We clarify that Senior Counsel is appearing for the first time in this matter. Senior Counsel submits that the order dated 08.10.2025, by which the C.M.A. was disposed of as well as the subsequent order dated 15.10.2025 passed in the I.A. filed by the respondent No.1/appellant issuing clarifications to the order dated 08.10.2025, do not take into consideration the registered Sale Deeds (Exs.R.1 and R.2), which is one of the reasons given by the Trial Court for passing the impugned order dated 05.09.2024. Counsel further submits that the registered Sale Deeds (Exs.R.1 and R.2) cover an area of Acs.4.37 guntas, which must be considered to protect the	Transferred to IO folder before corrections

	rights of the petitioners/plaintiffs. Counsel also points out that the registered Sale Deeds (Exs.R.1 and R.2) were not referred to in either the order dated 08.10.2025 or the clarificatory order dated 15.10.2025. After hearing the submissions made on behalf of the parties, it is evident that the registered Sale Deeds (Exs.R.1 and R.2) are being brought to the notice of the Court today for the first time. None of the counsel had raised this point when the matter was heard on the earlier two occasions. Hence, we are not inclined to modify the order dated 08.10.2025 any further. We, however, make it clear that the order dated 08.10.2025 and the subsequent clarificatory order dated 15.10.2025 shall be subject to the registered Sale Deeds (Exs.R.1 and R.2). We reiterate that the suit schedule property consists of Acs.21.02 guntas and that the respondent No.1/appellant has undertaken construction on Acs.7.00 guntas out of the suit schedule property. This fact, as noted in the order dated 08.10.2025, remains unchanged. Needless to say, the Trial Court shall exercise its discretion independent of any observations made by us. No further clarification is required in this matter. I.A.No.3 of 2025 is accordingly disposed of. MB,J GPK,J va	
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