

IN THE HIGH COURT FOR THE STATE OF TELANGANA
MONDAY, THE FOURTH DAY OF DECEMBER,
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

IA No. 1 OF 2022

IN

I.A.NO.1 OF 2021

IN

WP NO: 16474 OF 2021

I.A.No.1 of 2021

Between:

M. Nagesh Goud @ Nagesh, S/o. Late Shivaram Goud or Shivaram, Occ. Agriculture, R/o. Patighanapur Village, Patanchervu Mandal, Sangareddy District.

...Petitioner

(Petitioner in WP 16474 OF 2021
on the file of High Court)

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The Special Tribunal, Rep. by District Collector, Sangareddy District.
3. The Revenue Divisional Officer, Sangareddy Division, Sangareddy District.
4. The Thasildar, Patancheruvu Mandal, Sangareddy District.
5. M. Narasimha Goud @ Narsimulu, S/o. Late Shivaram Goud, or Shivaram, Occ. Agriculture, R/o. Patighanapur Village, Patanchervu Mandal, Sangareddy District

...Respondents

(Respondents in-do-)

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 suspend the operation of the impugned order dated 05.02.2021 passed by the 2nd respondent Tribunal in old Case No. A3/5003/2017 by continuing the name of the petitioner in the ROR of the land in Sy. No. 501/AA/2, admeasuring Ac.0-32 guntas at Patighanapur village, Patancheruvu Mandal, Sangareddy District, pending disposal of WP No. 16474 of 2021, on the file of the High Court.

IA No. 1 OF 2022

Between:

M. Narasimha Goud @ Narsimulu, S/o. Late Shivaram Goud, or Shivaram, Occ. Agriculture, R/o. Patighanapur Village, Patanchervu Mandal, Sangareddy District.

...Petitioner/Respondent No.5

(Petitioner/Respondent No.5 in WP 16474 OF 2021
on the file of High Court)

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The Special Tribunal, Rep. by District Collector, Sangareddy District.
3. The Revenue Divisional Officer, Sangareddy Division, Sangareddy District.
4. The Thasildar, Patancheru Mandal, Sangareddy District.

...**Respondent/Respondents**

5. M. Nagesh Goud @ Nagesh, S/o. Late Shivaram Goud or Shivaram, Occ. Agriculture, R/o. Patighanapur Village, Patancheru Mandal, Sangareddy District

...Respondent/Petitioner
(Respondents in-do-)

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 vacate the interim order dt. 20-07-2021 passed in I.A.No.1 of 2021 consequently dismiss the WP.No.16474 of 2021.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated 20/07/2021 made in I.A.No.1 of 2021 in W.P.No.16474 of 2021 and upon hearing the arguments of Sri Palle Sriharinath, Advocate for the Petitioner in I.A.No.1 of 2022 and Respondent No.5 in I.A.No.1 of 2021 and GP for Revenue for the Respondent Nos.1 to 4 in I.A.No. 1 of 2021 and I.A.No.1 of 2022 and Sri M. Damodar Reddy, Advocate for the Petitioner in I.A.No.1 of 2021 and Respondent No.5 in I.A.No.1 of 2022, the Court made the following

ORDER:

For the sake of convenience, the parties herein are hereinafter referred to as arrayed in I.A.No.1 of 2021.

Heard learned counsel for the petitioner and learned counsel for respondent No.5.

As evident from the sale deed bearing document No.1737 of 2018 dated 12.01.2018, petitioner along with his wife and sons sold the subject land to Mr. B. Sridhar and Mr. Gavvala Bharath Kumar and subsequently they sold the subject land to Mr. B. Srikanth and Mr. Gavvala Balraj under registered sale deed bearing document No.16288 of 2018 dated 30.04.2018. Learned counsel for respondent No.5 has submitted that though the lands were sold in the year 2018, petitioner approached this Court by suppressing the facts and interim order was passed by this Court in I.A. No.1 of 2021 on 20.07.2021.

Learned counsel for the petitioner submitted that steps are being taken to make subsequent purchasers of the subject land as parties to the writ petition.

Prima facie, even prior to the filing of this writ petition by the petitioner, the subject land was alienated by aforesaid sale deeds and the petitioner does not have any interest over the subject land.

In view of the above, the interim order dated 20.07.2021 passed by this Court in I.A. No.1 of 2021 is vacated.

However, it is made clear that if the subsequent purchasers are made parties to the writ petition, matter will be heard on merits.

//TRUE COPY//


SD/- B. CHANDRA PRAKASH
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. One CC to SRI M. Damodar Reddy, Advocate [OPUC]
2. One CC to Sri Palle Sriharinath, High Court at Hyderabad.(OUT)
3. Two CCS to GP for Revenue, High Court at Hyderabad. (OUT)
4. One spare copy

HIGH COURT

BVR,J

DATED:04/12/2023

ORDER

**IA No. 1 OF 2022
IN
I.A.NO.1 OF 2021
IN
WP NO: 16474 OF 2021**



MADE ABSOLUTE