

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

FRIDAY, THE THIRTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

**IA No. 1 OF 2025
IN
CRP NO: 1806 OF 2025**

Between:

1. M. A. Rahman, S/o. M. A. Rawoof, Aged 40 years, Occu Business, R/o. 1- 4- 130/4/A/4, Kamala Nehru Colony, Mahabubnagar
2. M. A. Abrar, S/o. M. A. Rawoof, Aged 38 years, Occu Business, R/o. 1- 4- 130/4/A/4, Kamala Nehru Colony, Mahabubnagar

...Petitioner(s)
(Petitioner in CRP 1806 OF 2025
on the file of High Court)

AND

1. Immadi Purushottam, S/o. Immadi Mohan Reddy, Aged about 44 years, Occu Business R/o. 10- 1- 14/2, Yenugonda, Mahabubnagar (District)
2. The Manager, HDFC Bank, Telangana Chowrasta, Mahabubnagar

...Respondent(s)
(Respondents in-do-)

Petition under Section 151 CPC praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings in the suit pursuant to the order dated 01. 05. 2025 in IA No. 53/2025 in OS No. 28 of 2025 on the file of the Additional senior Civil Judge, Mahabubnagar, pending disposal of CRP No. 1806 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri N Praveen Reddy Advocate for the Petitioners.

**The Court made the following
ORDER:**

Heard the learned counsel for the petitioners.

It is submitted that the petitioners are defendant Nos. 1 and 2 in I.A.No.53 of 2025 in O.S.No.28 of 2025 on the file of Additional Senior Civil Judge, Mahabubnagar, wherein the petitioner is given opportunity to pay the stamp duty for admitting the agreement of sale vide order dated 01.05.2025.

He further submitted that an agreement of sale cannot be received in evidence unless the stamp duty and penalty amount is collected and there is no material placed before the Court for ascertaining the market value and in the absence of market value certificate which forms basis for deciding stamp duty and penalty, it cannot be collected. Therefore, there is irregularity in permitting the plaintiff to pay stamp duty and penalty for admitting the document without ascertaining the market value or the rate of stamp duty or penalty to be paid by the plaintiff before marking the document in the suit.

It is further submitted that the learned judge erred in not following the procedure as mandated by law under the provisions of Section 38(2) of the Indian Stamp Act in impounding the document and forwarding it to Collector.

Hence prays to grant stay of all further proceedings in I.A.No.53 of 2025 in O.S.No.28 of 2025 on the file of Additional Senior Civil Judge, Mahabubnagar.

In the said circumstances, there shall be stay of all further proceedings in I.A.No.53 of 2025 in O.S.No.28 of 2025 on the file of Additional Senior Civil Judge, Mahabubnagar, till 18.07.2025.

//TRUE COPY//

Sd/- P.PONNA KRISHNA
ASSISTANT REGISTRAR



SECTION OFFICER

To,

1. The Additional Senior Civil Judge, at Mahabubnagar.
2. Immadi Purushottam, S/o. Immadi Mohan Reddy, R/o. 10- 1- 14/2, Yenugonda, Mahabubnagar (District)(By RPAD)
3. The Manager, HDFC Bank, Telangana Chowrasta, Mahabubnagar(By RPAD)
4. One CC to Sri N Praveen Reddy Advocate [OPUC]
5. One spare copy

HIGH COURT

JS,J

DATED:13/06/2025

ORDER

**IA. No. 1 OF 2025
IN
CRP.No.1806 of 2025**

STAY

