

**HIGH COURT FOR THE STATE OF TELANGANA**

**MAIN CASE: S.A. No. 555 of 2025**

**PROCEEDING SHEET**

| <b>Sl. No.</b> | <b>DATE</b> | <b>ORDER</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>OFFICE NOTE</b> |
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| 01.            | 26.11.2025  | <p><b><u>RY, J</u></b></p> <p style="text-align: center;"><b><u>S.A. No. 555 of 2025</u></b></p> <p>Heard learned counsel for the appellant.</p> <p>Respondent No.1 (plaintiff) filed a suit in O.S. No. 549 of 2015 on the file of learned Senior Civil Judge at Nalgonda (for short, 'the Trial Court') for declaration of title and recovery of possession in respect of the suit schedule property. The suit was filed against the appellant herein and respondent Nos. 3 to 9. The said suit was dismissed <i>vide</i> judgment and decree dated 11.09.2023. Aggrieved by the same, respondent No.1 filed A.S. No. 44 of 2023 on the file of learned I Additional District Judge, Nalgonda (for short, 'the First Appellate Court') and the same was allowed reversing the judgment and decree passed by the Trial Court i.e., the suit is decreed declaring respondent No.1 as owner of the suit schedule property consisting of land admeasuring Ac.04-21 gts., in Survey No. 118, Marriguda village under revenue village Thipparthy, Revenue Mandal Thipparthy, Nalgonda District and consequently, relief of recovery of possession was also granted. Aggrieved by the same, the present Second Appeal is preferred.</p> <p style="text-align: center;">In the circumstances, the following</p> |                    |

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|  |  | <p>substantial questions of law arise for consideration of the present second appeal:</p> <ol style="list-style-type: none"><li>1) <i>Whether the First Appellate Court is justified discarding the well settled position of law that an entry in Revenue records does not confer title on a person whose name appears in record of Rights?</i></li><li>2) <i>Whether the First Appellate Court is justified discarding the well settled position of law that the mutation entry does not confer any right, title or interest in favour of the person and it is only recorded for the fiscal purpose?</i></li><li>3) <i>Whether the First Appellate Court is justified in not considering the fact that the unregistered sale deed was regularized in favour of defendant No.3 to 9 with the consent of the plaintiff?</i></li><li>4) <i>Whether the First Appellate Court is justified discarding the contention of the appellant herein that the suit schedule property fell to his share in the partition which took place among the family members and he sold the said land to defendant Nos.3 to 9 in the year 1990 since then they are peaceful possession and enjoyment over the property without any interruption and their title perfected by adverse possession?</i></li></ol> |  |
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|  |  | <p>Admit.</p> <p>Notice.</p> <p>Call for the records.</p> <p>List on 28.01.2026.</p> <p style="text-align: center;"><b><u>I.A. No. 1 of 2025</u></b></p> <p>This application is filed seeking to suspend the operation of decree dated 16.09.2025 in A.S. No.44 of 2023 on the file of learned I Additional District Judge, Nalgonda District at Nalgonda.</p> <p>Heard learned counsel for the petitioner (appellant).</p> <p>In a suit <i>viz.</i>, O.S. No. 549 of 2015 for declaration of title and recovery of possession with respect to schedule property, the Trial Court dismissed the suit, whereas, in A.S. No.44 of 2023 the First Appellate Court allowed the appeal reversing the judgment and decree passed by the Trial Court. Aggrieved by the same, the present Second appeal is preferred along with the present Interlocutory Application seeking suspension of the decree dated 16.09.2025 passed by the First Appellate Court in A.S. No. 44 of 2023.</p> <p>The main contention of learned counsel for the petitioner is that unregistered sale deed was regularized in the year 1990 with the consent of respondent No.1 and the same was confirmed by respondent No.1 before the Joint Collector in revenue proceedings. In view of the aforementioned</p> |  |
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|  |  | <p>fact situation, the petitioner contends that balance of convenience is in his favour, as such, sought suspension of the operation of the decree passed by the First Appellate Court.</p> <p>In view of the facts narrated and the substantial questions of law framed and since respondent Nos.3 to 9 are in possession of the suit schedule property, the balance of convenience is in their favour, there shall be interim suspension of the operation of decree dated 16.09.2025 in A.S. No.44 of 2023 on the file of learned I Additional District Judge, Nalgonda District at Nalgonda, till 28.01.2026.</p> <p style="text-align: right;"><b>RY,J</b><br/>gms</p> |  |
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