

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

**THURSDAY, THE FOURTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

THE HONOURABLE SMT JUSTICE RENUKA YARA

IA No. 1 OF 2025

IN

CMA NO: 472 OF 2025

Between:

THOTA GANGADHAR, S/o. Late Nadpi Gangaram.

... Appellant

(Appellant in CMA 472 OF 2025
on the file of High Court)

AND

1. M.A. RAHMAN, S/o. Late M.A. Jabbar, Age. 52 Years, Occ. Carpenter, R/o 1-15/3, Puranipet Village, Bheemgal Mandal, Nizambad District
2. M.A. Raheem, S/o. Late M.A. Jabbar, Age. 45 Years, Occ. Mechanic, R/o NDCC Bank, Puranipet Village, Bheemgal Mandal, Nizambad District
3. M.A. Haleem, S/o. Late M.A. Jabbar, Age. 40 Years, Occ. Kamdar, R/o. 1-15/3, Puranipet Village, Bheemgal Mandal, Nizambad District
4. M.A. Hakeem, S/o. Late M.A. Jabbar, Age. 37 Years, Occ. Private Employee, R/o 1-15/3, Puranipet Village, Bheemgal Mandal, -Nizambad District

...Respondents

(Respondents in-do-)

Counsel for the Petitioner : Sri J DHEERAJ REDDY

Counsel for the Respondents :

Petition under Order XXXIX Rule 1 & 2 of the Code of Civil Procedure praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant temporary injunction restraining the Respondents or any other person claiming through them from interfering with the peaceful possession and enjoyment of the Petitioner over the Petition Schedule Property,

SCHEDULE OF THE PROPERTY

In I.A.No.120 of 2022 in OS No.17 of 2022

The Suit land bearing Sy.No.15/2, admeasuring Ac.0-27 Gts, Sy.No.15/3 admeasuring Ac.0-27, Sy.No.15/4, admeasuring Ac.0-19, situated at Puranipet Village, Bheemgal Mandal, Nizambad District are bounded as follows:

North: Agricultural land of others

South: Agricultural land Abdul Jabbar

East: Agricultural land of Jangiti Babanna

West: Agricultural land of others

pending disposal of CMA No. 472 of 2025, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER

This application is filed to grant temporary injunction restraining the respondents or any other person claiming through them from interfering with the peaceful possession and enjoyment of the petitioner over the suit schedule property.

Heard learned counsel for the petitioner (appellant).

Issue notice to the respondents.

Learned counsel for the petitioner (appellant) is permitted to take out personal notice on the respondents and file a proof of service in the Registry by the next date of hearing.

The petitioner (appellant) filed a suit in O.S. No. 17 of 2022 on the file of learned Senior Civil Judge at Armoor (for short, 'the Trial Court') seeking declaration of title and perpetual injunction with respect to suit schedule property in Survey No.15/2 extent Ac.0-27 gts., Survey No.15/3 extent Ac.0-27 gts., Survey No.15/4 extent Ac.0-19 gts., total extent Ac.1-33 gts., situated at Puranipet village, Bheemgal Mandal, Nizamabad District. Along with the suit, the petitioner filed I.A. No.120 of 2022 and relied upon Exs.P.1 to P.14 in support of grant of temporary injunction. While so, the respondents relied upon Exs.R.1 to R.17. The Trial Court dismissed the said petition on the sole ground that there is a suit for partition pending in O.S. No.8 of 2023 with respect to suit schedule property. Further, there is challenge to the gift deed and sale deeds of the petitioner and therefore, held that the balance of convenience is not in favour of the petitioner. In the present Civil Miscellaneous Appeal, the petitioner (appellant) argued that the respondents did not have title at all as they

are claiming the title under Ex.R.1-copy of simple sale deed dated 26.06.1999. Whereas, the petitioner is claiming title under registered sale deed. Further, Ex.P.10-NALA order issued by Tahsildar and Joint Sub Registrar, Bheemgal, dated 19.10.2022 and Ex.P.11-Property value certificate issued by Joint Sub Registrar, Bheemgal, dated 13.12.2022, show the possession of the petitioner over the suit schedule property.

In the circumstances stated above, both the parties are directed to maintain the *status quo* obtained as on today in respect of the suit schedule property, till 29.01.2026.

SD/-A.V.S.PRASAD
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Senior Civil Judge at Armoor.
2. M.A. RAHMAN, S/o. Late M.A. Jabbar, Age. 52 Years, Occ. Carpenter, R/o 1-15/3, Puranipet Village, Bheemgal Mandal, Nizambad District(By RPAD)
3. M.A. Raheem, S/o. Late M.A. Jabbar, Age. 45 Years, Occ. Mechanic, R/o NDCC Bank, Puranipet Village, Bheemgal Mandal, Nizambad District(By RPAD)
4. M.A. Haleem, S/o. Late M.A. Jabbar, Age. 40 Years, Occ. Kamdar, R/o. 1-15/3, Puranipet Village, Bheemgal Mandal, Nizambad District(By RPAD)
5. M.A. Hakeem, S/o. Late M.A. Jabbar, Age. 37 Years, Occ. Private Employee, R/o 1-15/3, Puranipet Village, Bheemgal Mandal, -Nizambad District(By RPAD)
6. One CC to SRI. J DHEERAJ REDDY Advocate [OPUC]
7. One spare copy

HIGH COURT

RY, J

DATED:04/12/2025

ORDER

I.A.No.1 of 2025

IN

CMA.No.472 of 2025



STATUS QUO