

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.9776 OF 2015

ORDER:

This writ petition is filed by the petitioner challenging the action of the respondents 1 to 7 for not considering and disposing of the representation dated 12.02.2015 submitted by the petitioner for not issuing any pattadar pass book and title deeds in favour of the 8th respondent for the land over an extent of Ac.61.11 gts out of the land over an extent of Ac.288.00 gts in Sy.No.72, Kothaguda Village, Serilingampally Mandal, Rangareddy District.

It is the case of the petitioner that the entire land over an extent of Ac.288.00 gts., situated in Sy.No.72, Kothaguda Village, Serilingampally Mandal, Ranga Reddy District, originally belongs to the H.E.H Nizam i.e., Mir Osman Ali Khan Bahadur and the petitioner being one of the legal heir and great grand daughter of H.E.H Nizam Mir Osman Ali Khan Bahadur, is entitled to succeed the above said property. It is stated that when the petitioner started pursuing the matter before the 5th respondent-Tahsildar for mutation and issuance of pass book and title deed, a letter was addressed by the 5th respondent on 28.11.2012 intimating the petitioner that the land to the extent of Ac.274.00 gts., vide G.O.Ms.No.910 dated 31.03.1965 was notified as a 'reserve forest' and thereafter the entries in the revenue records were effected by mentioning the name as "Curator National Park, Hyderabad". It is further stated that the petitioner came to know that the 8th respondent and others were claiming as the legal heirs of Mir Farkunda Ali Khan and started claiming the land to the extent of Ac.61.11 gts in Sy.No.72 out of Ac.288.00 gts., or Ac.274.11 gts as per Sethwar of the land situated at Kothaguda Village, Serilingampally Mandal, R.R District basing on a false and created documents. It is stated that the said documents do not find place in the office of the concerned Sub Registrar. Thereafter, the petitioner submitted his representation dated 10.02.2015 to the respondents 1 to 7 requesting not to issue any pattadar pass books and title deeds in favour of the 8th respondent and others, but the respondents 1 to 7 did not choose to take any action so far. Hence, the present writ petition.

Heard Sri M. Venkatesh, learned counsel appearing for Sri M. Suresh Shiv Sagar, learned counsel for the petitioner and the learned Assistant Government

Pleaders for Revenue and Forest.

Though in his representation dated 10.02.2015, petitioner sought for payment of compensation in accordance with Section 11-A of the Land Acquisition Act, 1894, as can be seen from the said representation, it is clear that his main objection is with regard to mutation, issuance of pattadar pass books and title deeds in favour of the 8th respondent with regard to the land over an extent of Ac.61.11 gts out of Ac.288.00 gts situated at Kothaguda Village, Serilingampally Mandal, R.R District.

Having regard to the facts and circumstances of the case, and considering the material placed on record, especially in view of the submission made by the learned Government Pleader for Forest that the land in question is notified as reserve forest and it is a forest land, the writ petition can be disposed of with a direction to the respondents 1 to 7 particularly 5th respondent-Tahsildar, who is the competent authority for grant of pattadar pass books and for effecting mutation in the revenue records under the R.O.R Act, to take into consideration the representation dated 10.02.2015 of the petitioner and the allegations made therein before passing any orders in favour of the 8th respondent or any one claiming mutation, pattadar pass books and title deeds with respect to the land over an extent of Ac.61.11 gts out of Ac.288.00 gts situated at Kothaguda Village, Serilingampally Mandal, R.R District.

With the above observations, the writ petition is disposed of Miscellaneous Petitions, if any pending in this writ petition shall stand closed. No order as to costs.

CHALLA KODANDA RAM,J

Date:08.04.2015.

Gk.

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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