

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

PRESENT

THE HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V.BHATT

PUBLIC INTEREST LITIGATION No.126 OF 2015

DATED: 22.06.2015

Between:

Baddula Venkata Ramaiah

... Petitioner

and

State of Andhra Pradesh and another

... Respondents

**THE HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V.BHATT**

PUBLIC INTEREST LITIGATION No.126 of 2015

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PC: (per the Hon'ble The Acting Chief Justice Dilip B. Bhosale)

Heard learned counsel for the parties.

In this Public Interest Litigation, the petitioner has made the following prayer.

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus to declaring the to issue Writ, order or direction more in the nature of Mandamus or any other appropriate Writ declaring the action of the Respondents 1 and 2 not taking any appropriate steps by giving necessary directions to the District Collectors/RDOs/Tahsildars are concerned in the State of A.P. not to insist upon producing the succession certificate in place of the deceased persons who are holding titles when the legal heirs approached for getting pattadar pass books and title deeds, inspite of receipt of legal notice of the petitioner dt.30.12.2014 as illegal, arbitrary and contrary to the Rule 9(1)(a)(i) of the A.P. Rights in land and pattadar pass books Rules 1989 and order 31(1) of A.P. Board Standing Orders consequently direct the Respondents 1 and 2 not to insist upon production of succession certificate in place of the deceased title holders when there is no title dispute raised any 3rd party and to pass such other order or orders as this Hon'ble Court may deems fit just and proper in the circumstances of the case.”

Learned Government Pleader has placed on record G.O.Ms.No.145, dated 25.04.2015 laying down the

procedure to be followed and precautions to be taken while issuing family members certificate. The requirements mentioned in the said G.O. do not warrant for production of succession certificate. In view thereof, learned Government Pleader submits that succession certificate shall not be insisted unless there is a dispute between the members of the family *inter se* over the heir-ship. His statement is recorded and accepted.

In view thereof, learned counsel for the petitioner does not press this Public Interest Litigation.

Public Interest Litigation is disposed of as not pressed.

Consequently, miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

22nd JUNE, 2015.

S.V. BHATT, J

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