

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

WEDNESDAY, THE THIRD DAY OF MAY
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.15486 of 2015

BETWEEN

Durgam Laxmaiah

... PETITIONER

AND

State of Telangana, rep. by its Principal Secretary and others

...RESPONDENTS

The Court made the following:

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ORDER:

Heard.

2. Petitioner states that his father Durga Chinna Mallaiah was the absolute owner of property in survey No.3/W in an extent of Ac.2-75 cents Akenapally Village of Bellampally Mandal, Adilabad District. The father of the petitioner died on 07.04.2010. Thereafter, petitioner made several applications by approaching respondent No.3 for grant of succession. Petitioner states that in the family settlement, said land was allotted to the petitioner. It is stated that ultimately on the application of the petitioner dated 13.02.2014, respondent No.3 issued advertisement, dated 10.09.2014 calling all the individuals, who have objections, to appear before the Tahsildar on 17.09.2014 with documents. Petitioner has produced the copy of the statements recorded by him and his two brothers. Petitioner states that thereafter no final orders are passed by the Tahsildar though enquiry was completed on 17.09.2014. Hence, to that extent the relief in the present writ petition is sought.

3. Evidently, petitioner seeks succession and consequential mutation in his name on the basis of death of his father and the family settlement as alleged. It is stated that the Tahsildar has already completed requisite enquiry and recorded statements. If that be so, there is no reason why respondent No.3 should keep the orders pending with regard to petitioner's request for grant of succession/mutation in his favour.

Writ petition is, therefore, disposed of directing respondent No.3 to take appropriate decision in the matter on the basis of enquiry report conducted by him and pass appropriate orders preferably within four weeks from the date of receipt of a copy of the order. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

June 3, 2015

Lmv