

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No. 2418 of 2015

DATE: 25.02.2015

Between:

Syed Khaja Miya

.. Petitioner

And

1. The State of A.P.
2. The Collector
3. The Revenue Divisional Officer
4. The Tahsildar

.. Respondents

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ORDER:-

The petitioner claims that while himself and his three brothers are the successors of their late father, Gudu Saheb, one P.Balaiah is the successor of his late father, P. Buchaiah over an extent of Ac.6.15 guntas of an agricultural land in Sy.No.180, situated in Batasingaram village, Hayathnagar Mandal, Ranga Reddy District and their fathers were the protected tenants of the land in question. However, the 4th respondent, instead of granting succession certificate to the petitioner, issued a Memo dated 21.07.2000 indicating that the names of the original protected tenants were deleted from the revenue records. Then, the petitioner and his brothers preferred an appeal before the Joint Collector, but they were advised to approach the civil Court for redressal of their grievance. Subsequently, the members of the petitioner's family and P. Buchaiah filed O.S.Nos.422 and 423 of 2006 respectively and obtained judgments and decrees in their favour whereby they were declared successors to the original protected tenants over the land in question. In pursuance of the decree, when the petitioner filed an application dated 23.12.2009 requesting the 3rd respondent-Revenue Divisional Officer to issue him ownership / succession certificate under Section 38-E of the A.P. (Telangana Area Tenancy and Agricultural Land Act, 1950 (for brevity "the Act") in respect of Ac.1.16 guntas of land in Sy.No.180 of the same village, the 3rd

respondent, vide letter dated 20.11.2013, while entertaining the application, requested the 4th respondent-Tahsildar to enquire into the matter and send a detailed report with regard to the status of the land, but as no steps have been taken on the letter of the 3rd respondent, the petitioner himself made a representation dated 16.09.2014 requesting the 4th respondent to consider his application and send a report as called for by the 3rd respondent enabling him to get succession certificate. Now, the petitioner's grievance is that the 4th respondent has neither considered his representation nor sent any report as called for by the 3rd respondent. Hence, the present writ petition is filed seeking appropriate directions.

Heard the learned counsel for both the parties and perused the material placed on record.

Inasmuch as the main relief sought for by the petitioner is to consider his representation dated 16.09.2014 said to have been made to the 4th respondent with regard to submission of report as called for by the 3rd respondent, this Court deems it appropriate to dispose of the writ petition with the following directions:

“The 4th respondent – Tahsildar is directed to consider the representation dated 16.09.2014 said to have been made by the petitioner and pass appropriate orders thereon, in accordance with law, within a period of eight weeks from today.”

With the above observation, the writ petition is disposed of. No order as to costs.

As a sequel to the disposal of the writ petition, Miscellaneous Petitions, if any pending, shall stand disposed of

as infructuous.

CHALLA KODANDA RAM, J

25.02.2015

bcj