

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.21123 of 2009

ORDER:

The case of the petitioners is that the 1st petitioner is the grand son, the 2nd petitioner is the wife and the respondents 3 to 7 are the legal heirs of Late Mir Riyasath Ali Khan respectively. Said Riyasath Ali Khan is having land in Sy.No.140, 141, 142 admeasuring Ac.9-18, 0.14 and 10-13 guntas respectively at Karmanghat Village, Saroornagar Mandal, Ranga Reddy District. The first petitioner claiming to be the successor of Riyasath Ali Khan made representation dated 28-08-2006 for correction of entries in pahanies, cancellation of R.O.R. and issuance of pattadar passbooks for Sy.Nos.179, 182, 188 to 204 of Karmanghat Village, Saroornagar Mandal, Ranga Reddy District and the same was referred to the Deputy Collector and the Mandal Revenue Officer, Saroornagar. Pending the same, the respondents 3 to 7 also made an application to the 2nd respondent stating that they are the legal heirs of Riyasath Ali Khan and as the 1st respondent is proceeding with the claim of the respondents 3 to 7 without issuing notice to the petitioners. Aggrieved by the same, the present writ petition is filed.

This Court has granted order of *status-quo* on 06-10-2009 regarding entries in revenue records as far as subject lands of the writ petition.

Now counter and vacate stay petition is filed by the respondents 3 to 7, wherein in para No.3, it is admitted that the petitioners and respondents 3 to 7 in the main writ petition are all legal representatives of the Late Nawab Mir Riyasath Ali Khan. Apart from that, it is also stated that the respondents 3 to 7 made application on 04-05-2008 for mutation. It is stated that the 1st respondent issued common notice under Form-VIII and conducted detailed enquiry to conclude that land belongs to Late Nawab Mir Riyasath Ali Khan issued pattadar passbooks pertaining to their share only. Learned counsel for the petitioners disputes the same and stated that because of *status-quo*, no pattadar passbooks were issued.

Heard learned Assistant Government Pleader for Revenue.

The respondents 3 to 7 admit that the petitioners are the legal heirs of late Nawab Mir Riyasath Ali Khan. As such, the petitioners claim has also to be considered. In view of the same, the 3rd respondent is directed to consider the claim of the petitioners as well as the respondents 3 to 7, if not already considered and after

issuing notice to the petitioners and as well as respondents 3 to 7 and pass orders, in accordance with law, after considering the claim of the petitioners on the application of the petitioners and also on the application of the respondents 3 to 7 and take action accordingly.

With the above direction, the writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

19-10-2016
nvl





