

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 26224 of 2017

Order:

Heard learned counsel for the petitioners and learned Government Pleader for the respondents.

The petitioners state that one Ali Nawaz Khan was the owner and pattadar of land of an extent of Ac.2-32 gts., in Survey No.274, situated at Sangareddy town of erstwhile Medak district. He constructed a godown in an extent of 450 sq. yards and let out the same to the Agricultural Department for the purpose of 'Rythu Seva Kendram'. He was receiving the rents during his life time and he died in 1958 leaving his wife, two sons and three daughters. But, when the Government declared the said land as an unclaimed land and issued G.O.Ms.No.1050, Home (General-A) Department, dated 20.07.1974, the same was challenged before this Court in W.P.No.5818 of 1980 and the said Writ Petition was allowed on 28.09.1981 by quashing the said Government Order. The said order has become final. Thereafter, the legal heirs of Ali Nawaz Khan executed a registered sale deed in 1982 in favour of the first petitioner and one Sartaj Begum with respect to the property bearing Municipal No.11-68 part and parcel of 450 sq. yards of land situated in Survey No.274. Though it is stated that Sartaj Begum executed a relinquishment deed, it is stated in the affidavit filed in support of the writ petition that the second petitioner acquired the right of Sartaj Begum under an Agreement of Sale-cum-GPA executed on 21.08.2009. Thus, the petitioners 1 and 2 became the owners of an extent of 450 sq. yards of land situated in Survey No.274 bearing Municipal No.11-68. When no rents were paid for the last several years, but the godown was handed over to them on 25.03.2010, the

present Writ Petition is filed seeking arrears of rents from 1959 to 25.03.2010.

The above facts appear to have been not in dispute, but the relief claimed in the present Writ Petition is for the arrears of rents from 1959 to 25.03.2010 and even though the respondents are State, this Court is not inclined to entertain the present Writ Petition, in view of the nature of relief claimed is of civil in nature.

The Writ Petition is, accordingly, dismissed at the admission stage giving liberty to the petitioners to take appropriate legal proceedings in accordance with law. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions pending in this Writ Petition, if any, shall stand closed.

Date: 07.08.2017
Nsr

A. RAMALINGESWARA RAO, J

