

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.2526 of 2018

Order:

It is the case of the petitioners that originally one Azeemuddin and Wahabuddin were the Inamdar and Hissedar of the agricultural land of an extent of Ac.17-35 gts., situated in Survey No.502 of Dudiya Tarfa, Bodhan mandal, Nizamabad District. The said Inam was a Mafi Inam. The said persons were brothers. Their names were recorded in Khasra Pahani and Sesala and their names continued till the abolition of Inams. After abolition of Inams, the said Wahabuddin applied for ORC and ORC was issued on 10.09.1977 in his favour. He became the pattadar and title holder for the said agricultural land. He gifted an extent of Ac.10-35 gts., in favour of his son Mr. Faheemuddin @ Saber Miya by executing two registered gift deeds dated 18.04.1983 and 26.05.1983. The said Faheemuddin sold the land in favour of the petitioners. However, the Wakf Board included the said property in the official Gazette dated 03.10.2002, but the notification took place under the repealed enactment, the Wakf Act, 1995. The petitioners state that they purchased an extent of Ac.10.35 gts., under five separate sale deeds dated 10.04.2014. They applied for mutation of their names in the revenue records on 08.09.2017 and on their application it appears that the second respondent addressed a letter to the Sub-Collector, Bodhan on 06.10.2017 seeking clarification and in spite of the same when no orders were passed; the present Writ Petition is filed.

The Sub-Collector is not made a party to the present Writ Petition. However, since the request of the petitioners is for mutation of their

names in the revenue records, it is for the second respondent to take appropriate action in accordance with law.

In view of the same, this Writ Petition is disposed of directing the second respondent to consider the application of the petitioners dated 08.09.2017 and, if necessary, by obtaining the clarification from the Sub-Collector, Bodhan, pursuant to his letter dated 06.10.2017, and pass appropriate orders in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order.

Consequently, miscellaneous petitions, if any pending, in this writ petition, shall stand closed. There shall be no order as to costs.

Date: 27.02.2018
Nsr

A. RAMALINGESWARA RAO, J

