

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.M.P.No.43497 of 2017
IN/AND
WRIT PETITION No.8660 of 2013

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Revenue appearing for respondents 1 and 2 and learned counsel for respondents 3 to 5.

2. The case of the petitioner is that lands to an extent of Ac.0.38 guntas and Ac.5.16 guntas situated in Survey Nos. 47 and 72 respectively of Manchirevula Village, Rajendranagar Mandal, Ranga Reddy District along with other lands and house property situated in the same village belonged to one P.Sirga Reddy, who is grand father of the petitioner. The said grand father died long back leaving behind his son namely P.Narsimha Reddy, who also died on 10.09.2007 as intestate leaving behind his wife, third respondent and two sons, respondents 4 and 5 and the daughter, the petitioner herein. She states that their family is joint Hindu undivided family and the lands were in joint possession of all the coparceners. She states that she is entitled for 1/4th share in the properties left by her father as per the provisions of the Hindu Succession Act, 1956. She came to know that the second respondent passed order on 03.01.2009 granting OR Certificate in favour of the fifth respondent. Against the said order of the second respondent, the petitioner preferred an appeal before the first respondent and when the first respondent passed an order setting aside the order of the second respondent, dated 03.01.2009, and directed the parties to settle their rights before the competent Civil Court and thereafter, they are advised to approach the Inam

Tribunal for grant of occupancy rights inconsonance with the Civil Court order by his order, dated 10.05.2012, the present Writ Petition is filed.

3. Now, the petitioner as well as respondents 3 to 5 filed individual affidavits along with Memorandum of Compromise. The parties are present before the Court and they are identified by their respective counsel. The Memorandum of Compromise reads as follows:

“Where as the Writ Petitioner and the respondents are the owners and possessors of land bearing Sy.No.47 admeasuring Ac.0-38 gts and Sy.No.73, admeasuring Ac.5-16 gts totally admeasuring Ac.6-14 gts situated at Manchirevula Village, Rajendranagar mandal, R.R.District. As per the present compromise between the petitioners and the petitioner and the respondents 3 to 5 have agreed to share the land mentioned as under;

Writ Petitioner – Respt.No.4 to Respt No.5.

Survey No.47Ac.0-13 gts Ac.0-13 gts Ac.0-13 gts

Survey No.73Ac.1-34 gts Ac.1-32 gts Ac-1-32 gts

Total	Ac.2-05 gts	Ac.2-05 gts	Ac.2-05 gts
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That the Writ Petitioner and respondent No.4 and 5 hereby agreed that they can approach the RDO-cum-Inam Tribunal for getting occupancy right certificate as per their respective shares by virtue of this compromise petition.

That all the parties have agreed for the above said compromise for the shares and have put their signatures with their free will, consent and without there being any coercion.

It is therefore necessary in the interest of justice that this Hon’ble Court may be pleased to pass orders in terms of the above said compromise by allowing the Writ Petition No.8660 of 2013 by setting aside the orders passed by the 1st respondent in his proceedings Case No.L/7/10, dated 10-5-2012 in so far as directing the petitioner to go to civil

court without issuing the ORC and pass such other order or orders as the Hon'ble Court may deem fit and proper in the circumstances of the case and in the interest of justice."

4. In view of the same, W.P.M.P.No.43497 of 2017 is allowed and the Writ Petition is disposed of in terms of the above compromise. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

JANUARY 29, 2018

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THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO



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Date: 29.01.2018

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