

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

**THE HON'BLE SRI JUSTICE GUDISEVA SHYAM
PRASAD**

W.P.No.19062 of 2018

Date: 14.06.2018

Between:

Mohammad Ameershahanaz Begum,
(LR of Late Mohammed Yakub Ali)
W/o.Late Mohammed Yakub Ali,
Age: 65 years, Occ: Agriculture,
R/o.Kommepally village,
Sathupally mandal,
Khammam district.

... Petitioner

And

The State of Telangana,
rep. by its Principal Secretary
Revenue Department (Land Acquisition)
Secretariat, Hyderabad
and six others

... Respondents

Counsel for the Petitioner : Smt. B.Rachna Reddy

Counsel for the Respondents: G.P. for Revenue (TS) for R1 to R4
Mr.J.Srinivasa Rao for R5
Mr.J.Anil Kumar, Standing Counsel
for Legal Services Authority for R7

The Court made the following:

Order: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

The petitioner who claims to be the wife of one late Mohammed Yakub Ali, a party to Lok Adalat Case No.431 of 2016 in L.A.O.P.No.619 of 2014 on the file of the Lok Adalat Bench (District Judge) at Khammam, filed this writ petition, feeling aggrieved by the inaction of the respondents in distributing the share of the compensation of her late husband.

2. At the hearing, Ms.B.Rachna Reddy, learned counsel representing the petitioner, placed reliance on Division Bench judgment dated 30.04.2018 in W.P.No.13976 of 2018 and batch whereunder a batch of writ petitions were allowed, directing the District Judge, Khammam, to distribute the amounts together with interest accrued if any, as per Lok Adalat award, upon proper identification of the parties concerned.

3. The learned counsel for the petitioner submitted that as the latter's husband has died, the petitioner could not file a writ petition earlier and that the judgment in the aforementioned batch equally applies to her case also.

4. We have heard Mr.J.Srinivasa Rao, learned Standing Counsel for Singareni Collieries and Mr.J.Anil Kumar, learned Standing Counsel for Telangana State Legal Service Authority, appearing for respondents No.6 and 7. While not disputing the fact that the husband of the petitioner was a party to the proceedings before the

Lok Adalat, Mr.J.Anil Kumar, however, pointed out that as the husband of the petitioner died, leaving behind the petitioner and his two children, the petitioner has to approach the District Judge, Khammam and make a claim, showing proof of their being the legal heirs of Late Mohammed Yakub Ali. The learned counsel for the petitioner agreed for this course.

5. In the light of the above submissions of learned counsel for both the parties, the writ petition is disposed of by permitting the petitioner to file an application before respondent No.6 for distributing the share of compensation payable to her late husband to the legal heirs of late Mohammed Yakub Ali. Within one month of such application being filed, respondent No.6 shall make enquiry and if it is satisfied that the petitioner and her children are the legal heirs of late Mohammed Yakub Ali, he shall distribute the share of compensation payable to the said late Mohammed Yakub Ali.

6. Subject to the above directions, the writ petition is disposed of.

7. As a sequel, miscellaneous applications if any, stand disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

(Gudiseva Shyam Prasad, J)

Date: 14th June, 2018

msb

