

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWELFTH DAY OF NOVEMBER
TWO THOUSAND AND EIGHT

PRESENT

THE HON'BLE MR JUSTICE P.V.SANJAY KUMAR
WRIT PETITION No: 4810 of 2001

BETWEEN:

Mohd. Maqsood Ali S/o. Ghulam Mohiuddin, R/o. H.No.1-12-27/A,
7B, Near PG Centre, Medak Town and Mandal, Medak District.

... PETITIONER

AND

- 1 The Joint Collector, Medak at Sangareddy, Medak District.
- 2 The Revenue Divisional Officer, Medak Mandal, Medak District.
- 3 The Mandal Revenue Officer, Medak Mandal and Town, Medak District.
- 4 Kakuavaram Jairaj S/o. Late Bheema Chary, R/o. H.No.1-7-33, Brahmin Street, Medak District.
- 5 Kakulavaram Madhusudan S/o. late Bheema Chary, R/o. H.No.1-7-33, Brahmin Street, Medak District.
- 6 Kakulavaram Vedavyas S/o. late Bheema Chary, R/o. H.No.1-7-33, Brahmin Street, Medak District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, or a direction, or a writ more particularly in the nature of certiorari, Quashing the order vide: Annexure-P1 impugned in this Writ Petition, passed by the Joint Collector, Medak made in Rev Petn No. F3/3904/94-F3/53/94/R.O.R, dt. 11.12.2000, and in pursuance thereof Quash Annexure-P11 namely the order passed by the R.D.O., Medak dt. 25.3.94, in view there of direct the M.R.O., Medak not to meddle with Right of Patta, conferred on him Vide Ann-P9 dt. 9.2.93 against the Respondents 4,5 and 6 and to keep the same intact and pass such other order or orders.

Counsel for the Petitioner: MR.MIRZA NISAR AHMED BAIG

Counsel for the Respondents 1 to 3: GP FOR REVENUE

Counsel for the Respondents 4 to 6: MR. VINOD KUMAR DESHPANDE

The Court made the following:

ORDER:

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When this matter came up before this Court on 19.09.2008, it was represented by Sri Mirza Nisar Ahmed Baig, Advocate that he had given up his vakalat for the petitioner and returned the file to him. Taking note of the said submission, this Court directed the office to issue notice to the petitioner directly. The office, having issued a notice to the petitioner, put up a note stating to the effect that the notice was returned with the endorsement that the addressee, being the petitioner herein, had expired. The endorsement is dated 06.10.2008.

2. Though the cause of action in this writ petition is not of a nature that it does not survive the death of the petitioner, in view of the fact that no steps have been taken to pursue this case after the death of the petitioner, this Court has no option but to dismiss this writ petition.

The writ petition is accordingly dismissed for non-prosecution. There shall be no order as to costs.

November 12, 2008
DSK

P.V. SANJAY KUMAR, J