

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.27986 OF 2019

Date: 18.12.2019

Between:

Gudem Bharathamma w/o. Laxmaiah,
Aged about 48 years, occu; Housewife,
r/o. Guddagu village, Chevella Mandal,
Ranga Reddy district and two others.

.....Petitioners

and

The State of Telangana, rep.by its
Principal Secretary, Revenue Dept.,
Secretariat, Hyderabad and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioners claim that they are the children of Gudem Jangaiah, who was the owner of land to an extent of Ac.0.10 guntas in Sy.No.25/E/E; Ac.0.06 guntas in Sy.No.35/AE; Ac.0.06 guntas in Sy.No.35/E/E; Acs.3.00 guntas in Sy.No.66/E; Ac.1.23 guntas in Sy.No.69/E; Ac.1.05 guntas in Sy.No.70E and Ac.1.10 guntas in Sy.No.73E, totaling Acs.7.20 guntas of Tallaram village, Chevella Mandal, Ranga Reddy district. According to petitioners, their father was blessed with five children – three daughters and two sons. Petitioners now apprehend that without their consent and intimation to them, their brothers are trying to mutate their names in the revenue records in respect of the above extents of land. Therefore, petitioners submitted representation on 13.11.2019 to mutate their names along with two brothers in equal shares to the entire extent of land, owned by their father. Alleging inaction on the said representation, this Writ Petition is filed.

2. Apparently, petitioners claim that they are daughters of late Gudem Jangaiah and after his death, property should be devolved on them equally. But apparently so far they have not applied for mutation of their names as required by the provisions of the Telangana Rights in Land and Pattadar Passbooks Act, 1971 and the Rules made there under. In the representation petitioners are seeking Tahsildar to partition the property. It is not within the purview of Tahsildar to undertake the said exercise. He cannot adjudicate the issue of succession of alleged ancestral property. Therefore, leaving it open to petitioners to work out remedy on

claim for partition and then make an application in the prescribed proforma, Writ Petition is disposed of. If such application is made, the same shall be considered by following due process of law within a period of six weeks from the date of such application. If any application is filed by the brothers of petitioners, the same shall be considered together and matter be decided. Pending miscellaneous petitions shall stand closed.

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