

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.27517 OF 2018

Dated:20.11.2019

Between:

Khazi Mohammed Khaleel-Ur- Rahman,
S/o. Late Khazi Mohd. Abdul Rahman,
Aged about 59 years, R/o.H.No.1-1-81/A,
Motinagar Street, Mahaboobnagar Town,
Mahaboobnagar District and others .. Petitioners

And

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



This Court made the following:

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ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Revenue for the respondents.

2. According to petitioners, their great grand-father, Khazi Shaik Rafiuddin, was appointed as Asaldar Khazi of Ghampura Mahaboobnagar District by the then Emperor. The Emperor issued sanad (certificate) to him. The said Khazi Shaik Rafiuddin had four sons and after his death, sanad was granted to his eldest son, Khazi Mohammed Gulam Mohiuddin; after his death sanad was granted to Khazi Mohammed Qutubuddin and after his death, sanad was granted to persons i.e., (i) Late Khazi Rafiuddin and (ii) Late Khazi Mohd. Gouse. The affidavit describes further developments in the family. According to petitioners, land to an extent of Acs.29.26 guntas fallen to the share of the petitioners. However, demarcation and boundaries are not fixed. Therefore, the petitioners applied for conducting of survey and have also made a representation on 04.07.2018. Alleging inaction in acting upon the request to conduct survey, this Writ Petition is filed.

3. During the pendency of the Writ Petition, the Assistant Director of Survey and Land Records, Mahaboobnagar District, vide his proceedings dated 20.12.2018 informed the Tahsildar, Devarkadra Mandal, that the petitioners applied for conducting of survey partly in the survey numbers and such survey cannot be conducted and Tahsildar was directed to inform the

petitioners accordingly. A copy of the said proceedings is furnished to the petitioners and the same is filed by way of I.A.No.1 of 2019.

4. Thus, as on today, the issue of conducting survey is not pending with the authorities. The authorities have already intimated to the petitioners that survey cannot be conducted for the reasons stated in the proceedings dated 20.12.2018 and to work out their remedies including preferring an appeal. Insofar as the prayer in the Writ Petition, in view of the decision taken by the Assistant Director of Survey and Land Records as informed to the Tahsildar vide his proceedings dated 20.12.2018, the cause in the Writ Petition does not survive for adjudication.

5. The Writ Petition is accordingly dismissed leaving it open to the petitioners to work out their remedies as available in law. Pending miscellaneous petitions, if any, shall stand closed.

Date:20.11.2019

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P.NAVEEN RAO, J