

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

Civil Revision Petition No.2516 of 2015

ORDER :

This Civil Revision Petition is filed challenging the order dt.06.04.2015 passed in I.A.No.403 of 2014 in O.S.No.46 of 2010 on the file of Senior Civil Judge at Sathupally.

2. The petitioners herein are defendant nos.3 and 4 in the suit.
3. Initially, the suit was filed only against the sole defendant who is the grand-father of petitioners. He died on 19.03.2014, and a Memo was filed by his Counsel to that effect. The 1st respondent then filed I.A.No.403 of 2014 to implead the petitioners and Shaik Jubedabegum, daughter of the deceased sole defendant. The said application was ordered on 06.04.2015.
4. The counsel for petitioners contended that petitioners' mother is Shaik Pharjanabegum and not Shaik Jubedabegum; that she is the daughter-in-law of the deceased sole respondent, and she also needs to be impleaded.
5. This contention is without any merit because the daughter-in-law of a Mohammedan is not a legal heir in Law.
6. Admittedly, Shaik Jubedabegum is the daughter of the deceased, and the petitioners are grand children through the son of the deceased. Therefore, they alone are correctly impleaded as legal heirs and the estate of the deceased is now represented. Now even the

petitioners have become majors and there is no need for them to be represented by any guardian.

7. I therefore do not find any error of jurisdiction in the order passed by the Court below warranting interference by this Court under Article 227 of the Constitution.

8. Accordingly, the Civil Revision Petition fails and it is dismissed. No order as to costs.

9. The interim order granted earlier shall stand vacated.

10. As a sequel, miscellaneous petitions pending if any in this Civil Revision Petition, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 29.03.2019

Ndr/*