

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)
WEDNESDAY, THE TWENTY FIFTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE
PRESENT**

**THE HONOURABLE SRI JUSTICE K.LAKSHMAN
WRIT PETITION NO: 1991 OF 2023**

Between:

Mohd. Khaja Moinuddin, S/o late Md. Abdul Nabi, Occ.Retd. Employee R/o H.No. 14-5-48, Nizampura, Warangal.

...PETITIONER

AND

1. The State of Telangana, Rep by its Principal Secretary Revenue Department Secretariat, Hyderabad.
2. The District Collector, Warangal, Warangal Dist
3. The Tahsildar, Warangal Mandal, Warangal Dist

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue writ order or direction more particularly one in the nature of writ of Mandamus declaring the Endorsement dated 24-6-2022 issued by the 3rd respondent in rejecting the application made by the petitioner for issuance of Family Member Certificate without assigning any reasons as illegal, arbitrary, unjust and Contrary to law and set aside the same and consequently direct the respondents to issue Family Member Certificate to the petitioner immediately in the interest of justice

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of Endorsement dated 24-6-2022 issued by the 3rd respondent and consequently direct the respondents to issue Family Member Certificate to the petitioner immediately in the interest of justice pending disposal of the above writ petition

Counsel for the Petitioner: SRI. D RAMAKRISHNA

Counsel for the Respondents: AGP FOR REVENUE

The Court made the following: ORDER

HON'BLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.1991 of 2023

ORDER:

Heard Sri D. Ramakrishna, learned counsel appearing for the petitioner and learned Assistant Government Pleader for Revenue appearing for respondents. Perused the record.

Petitioner herein has submitted online application bearing No.FAMC022201089400, dated 03-06-2022 with respondent No.3 with a request to issue Family Member Certificate. He has enclosed all documents including Death Certificate. The said application was rejected vide endorsement dated 24-06-2022 with one word 'rejected'. Though in the said endorsement it is mentioned that the request of the petitioner was rejected no reasons were assigned. It is not a reasoned order. Any order passed without assigning any reasons is an order passed without application of mind and it is nullity.

Therefore, on the said ground alone the impugned endorsement dated 24-06-2022 of respondent No.3 is set aside and the matter is remanded back to respondent No.3 with a direction to consider the aforesaid online application bearing No.FAMC022201089400, dated 03-06-2022 and pass appropriate orders afresh by following due procedure laid down under law, as expeditiously as possible.

Accordingly, this writ petition is disposed of. There shall be no order as to costs.

As a sequel, the miscellaneous petitions, if any, pending in the Writ Petition shall stand closed.

SD/-P.CH.NAGABHUSHAMBA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary Revenue Department Secretariat, State of Telangana, Hyderabad.
2. The District Collector, Warangal, Warangal Dist
3. The Tahsildar, Warangal Mandal, Warangal Dist
4. One CC to SRI. D RAMAKRISHNA Advocate [OPUC]
5. Two CCs to GP FOR REVENUE, High Court for the State of Telangana. [OUT]
6. Two CD Copies

HIGH COURT

KL,J

DATED:25/01/2023



ORDER

WP.No.1991 of 2023

**WP IS DISPOSED OF
WITHOUT COSTS**