

**IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

WEDNESDAY, THE TWENTY NINTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

WRIT PETITION Nos: 8031 AND 17377 OF 2024

WRIT PETITION NO: 8031 OF 2024

Between:

Surabhi Bharathi Devi, w/o Late S.Raghupathi Rao, aged about 71 years, occ.
Household, r/o EWS-23, Road No.2, KPHB Colony, Near Dhanalakshmi Centre,
Hyderabad.

...PETITIONER

AND

1. The State of Telangana, rep. by its Principal Secretary, Revenue Department Secretariat, Hyderabad.
2. The Tahsildar, Kukatpally Mandal, Medchal Malkajgiri District.

...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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the inaction of the 2nd respondent in issuing the Family Members Certificate inspite of submitting the application through online bearing Application No. FAMCO22301351681 dt. 22-8-2023 followed by personal visits, as being illegal, arbitrary, unjust and unconstitutional and consequently direct the 2nd respondent to issue the Family Members Certificate to the petitioner herein pursuant to the above mentioned application, as per Law, and to grant.

IA NO: 1 OF 2024

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 pass orders directing the 2nd respondent herein to consider and take appropriate action pursuant to the online application bearing No. FAMCO22301351681 dt. 22-8-2023, pending disposal of the main Writ Petition.

WRIT PETITION NO: 17377 OF 2024**Between:**

Surabhi Bharathi Devi, W/o Late S.Raghupathi Rao, Aged about 71 years, Occ. Household, R/o EWS-23, Road No.2, KPHB Colony, Near Dhanalakshmi Centre, Hyderabad.

...PETITIONER**AND**

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The Tahsildar, Kukatpally Mandal, Medchal Malkajgiri District.

...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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the 2nd respondent in rejecting the online bearing Application No. FAMCO22301351681 dt. 22/8/2023 on 4/1/2024 without proper verification of the application, as being Segal, arbitrary, unjust and dereliction of duties and consequently set aside the same.

IA NO: 1 OF 2024

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

direct the 2nd respondent herein to issue the Family Members Certificate to the petitioner herein by suspending the impugned order dt. 4/1/2024, pending disposal of the main Writ Petition.

Counsel for the Petitioner in both the Writ Petitions: SRI Y. SURESH KUMAR

**Counsel for the Respondents in both the Writ Petitions: SRI L. RAVINDER,
AGP FOR REVENUE**

The Court made the following: COMMON ORDER

THE HONOURABLE SRI JUSTICE E.V.VENUGOPAL

W.P.Nos.8031 and 17377 of 2024

COMMON ORDER:

Since the issue involved in both the writ petition is similar and the petitioner in both the writ petitions is one and the same, both the writ petitions are being disposed of by this common order.

2. W.P.No.8031 of 2024 is filed to declare the action of respondent No.2 in not issuing the Family Members Certificate inspite of submitting the application bearing No. FAMC022301351681, dated 22.08.2023 through online followed by personal visits, as illegal and arbitrary and consequently, prayed for other appropriate orders.

3. W.P.No.17377 of 2024 is filed to declare the action of respondent No.2 in rejecting the online Application bearing No.FAMC022301351681, dated 22.08.2023, made by the petitioner for issuing Family Members Certificate, without proper verification, as illegal and arbitrary and consequently prayed to set aside the same.

4. Heard Sri Y.Suresh Kumar, learned counsel for the petitioner and Sri L.Ravinder, learned Assistant Government

Pleader for Revenue appearing for the respondents. Perused the record.

5. Learned counsel for the petitioner would submit that the petitioner in both the writ petitions is the wife of one Raghupathi Rao, who was an employee of I.D.P.L. and retired from service on attaining the age of superannuation and her husband also received retirement benefits. During his lifetime, he had received pension also. Learned counsel for the petitioner would further submit that the husband of the petitioner died on 11.05.2020 leaving behind the petitioner as sole legal heir and she has also been receiving the family pension. Learned counsel for the petitioner would further submit that during his lifetime, the husband of the petitioner had purchased open plot No.781, admeasuring 200 square yards in Sy.No.376/2, situated at Batasingaram Village, Hayathnagar Revenue Mandal, Ranga Reddy District, through registered sale deed bearing document No.4852 of 1999, dated 11.07.1999. Learned counsel for the petitioner would further submit that due to urgent financial necessities, when the petitioner offered to sell the said plot, the prospective purchasers have insisted her to produce the Family Member Certificate as the plot stands in the

name of her husband and therefore, she was constrained to make online application No.FAMC022301351681, dated 22.08.2023 before respondent No.2. Learned counsel for the petitioner would further submit that, when the respondent authorities did not consider the said online application, the petitioner filed W.P.No.8031 of 2024 and after filing of the said writ petition, the online application, dated 22.08.2023 was rejected on 04.01.2024. Challenging the said rejection order the petitioner filed W.P.No.17377 of 2024. Learned counsel for the petitioner would further submit online application was rejected with an endorsement as "the Family Member Certificate is only issued to deceased person, who was Government employee", which is perverse and not in accordance with law and prayed to set aside the same and pass appropriate orders.

6. Learned Assistant Government Pleader for Revenue would submit that the husband of the petitioner died on 11.05.2010 and the petitioner made online application for issuing Family Member Certificate on 22.08.2023 i.e., after a lapse of 13 long years, which is not in accordance with the procedure contemplated under law and the petitioner ought to have applied for Family Member Certificate within a period of one

year from the date of death of her husband. He would further submit that the petitioner has been getting family pension on account of the death of her husband. He would further submit that admittedly, the petitioner has stated in the writ affidavit that the petitioner, who is a Senior Citizen, is seeking Family Member Certificate of her husband as the prospective purchasers have insisted to produce the same to purchase the plot standing in the name of her husband and if the Family Member Certificate is issued, the same would not come to the rescue of the petitioner. Further, he would fairly admit that the application has been rejected without giving proper reasons.

7. Having heard the learned counsel for the petitioner and learned Assistant Government Pleader for Revenue, this Court, without expressing any opinion on the merits of the case, deems it appropriate to dispose of these two writ petitions by setting aside the rejection order, dated 04.01.2024 and directing respondent No.2 to re-examine the online application bearing No. FAMC022301351681, dated 22.08.2023 and pass a reasoned order in accordance with law, within a period of four (04) weeks from the date of receipt of a copy of this order. It is needless to mention that, if the Family Member Certificate to be

issued by the respondent authorities, does not come to the rescue of the petitioner for the purpose of selling the plot standing in the name of her husband, she is at liberty to approach the competent civil Court for getting succession certificate.

8. With the above directions, both the Writ Petitions are disposed of.

9. Miscellaneous petitions, if any pending in both the Writ Petitions, shall stand closed. There shall be no order as to costs.

SD/- AHMED ABDULLAH KHAN
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat, Hyderabad.
2. The Tahsildar, Kukatpally Mandal, Medchal Malkajgiri District.
3. One CC to SRI Y. SURESH KUMAR, Advocate [OPUC]
4. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
5. Two CD Copies

MP
PSK



HIGH COURT

DATED:29/10/2025



COMMON ORDER

WP.Nos.8031 AND 17377 of 2024

**DISPOSING OF THE WRIT PETITIONS
WITHOUT COSTS**

⑧
Kpao
18/2/26