

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD**

FRIDAY, THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND TWENTY FOUR

**:PRESENT:
THE HONOURABLE SMT JUSTICE P.SREE SUDHA
SECOND APPEAL NO: 150 AND 142 OF 2024**

SECOND APPEAL NO: 150 OF 2024:

Between:

1. Mohiuddin Shareef, S/o. Sheikh Madar (Died).
2. Khaja Raziuddin Mahmood, S/o. Mohiuddin Shareef (Died).
3. Khaja Riazuddin Mahmood, S/o. Late Mohiuddin Shareef.
4. Khaja Masiuddin Mahmood, S/o. Mohiuddin Shareef.
5. Sumayya Bader, D/o. Late Khaja Saifuddin.
6. Khaja Salauddin Malik, S/o. Late Khaja Saifuddin, Age: 36 years, Occ: Pvt employee, R/o. Kashmirgadda, Karimnagar. Rep by GPA Holder Khaja Riazuddin Mahmood, S/o. Late Mohiuddin Shareef, Age: 73 years, Occ: Singareni Employee, R/o. Maskoor Colony, Mancherial Town of Adilabad District.
7. Khaja Gaziuddin Malik, S/o. Late Khaja Saifuddin.
8. Rafath Sultana, W/o. Mohd. Sarwar.
9. Nusrath Sultana, W/o. Mohd. Wajid Ali.
10. Raheem Unnisa Begum, W/o. Late Khaja Raziuddin Mahmood.
11. Khaja Fahad Mudassir, S/o. Late Khaja Raziuddin Mahmood, Age: 46 years, Occ: Pvt. Employee, R/o. Rajendernagar, Hyderabad. Rep by GPA Holder Khaja Riazuddin Mahmood, S/o. Late Mohiuddin Shareef, Age: 73 years, Occ: Singareni Employee, R/o. Maskoor Colony Mancherial Town of Adilabad District.
12. Khaja Sameed Mudassir, S/o. Late Khaja Raziuddin Mahmood, Age: 42 years, Occ: Pvt. Employee, R/o. Rajendernagar, Hyderabad. Rep by GPA Holder Khaja Riazuddin Mahmood, S/o. Late Mohiuddin Shareef, Age: 73 years, Occ: Singareni Employee, R/o. Maskoor Colony Mancherial Town of Adilabad District.
13. Uzma Mudassir, D/o. Late Khaja Raziuddin Mahmood, Occ: House Hold, R/o. Rajendernagar, Hyderabad.

Appellants/Appellants/Plaintiffs

(During pendency of the Suit, plaintiff no.1 died on 20/08/2010 & as per the orders passed in IA.No.215/2010, the plaintiff no.2 to 9 were brought on record and during pendency of suit, plaintiff no.2 died on 09/11/2016 & as per the orders passed in IA.No.85/2016, the plaintiff no.10 to 13 were brought on record.

AND

1. The State of Telangana (the then A.P.), Rep. by the District Collector, Karimnagar.
2. The Mandal Revenue Officer, Odela Mandal.
3. The Commissioner of Indian Medicines and Homeopathy, (Ayurvedic) Department, Government of Telangana (the then A.P.), Market Street opp: Regional Passport Office, Secunderabad, Hyderabad, Telangana.

Respondents/Respondents/Defendants

WHEREAS the Appellants above named through their Advocate M/s. M.R.S SRINIVAS presented this Second Appeal Under Section 100 CPC, seeking to set-aside the judgment and decree dated 06/10/2023 passed in A.S.No. 41 of 2022, on the file of Principal District Judge, Peddapalli confirming the judgment and decree dated 31/03/2017 passed in OS No.11 of 2001 on the file of the Junior Civil Judge, Sulthanabad;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of M/s. M.R.S SRINIVAS Advocate for the Appellants, directed issue notice to respondents, herein to show cause as to why this SECOND APPEAL should not be admitted.

SECOND APPEAL NO: 142 OF 2024:

Between:

1. Mohiuddin Shareef, S/o. Sheikh Madar (Died).
2. Khaja Raziuddin Mahmood, S/o. Mohiuddin Shareef (Died).
3. Khaja Riazuddin Mahmood, S/o. Late Mohiuddin Shareef.
4. Khaja Masiuddin Mahmood, S/o. Mohiuddin Shareef.
5. Sumayya Bader, D/o. Late Khaja Saifuddin.
6. Khaja Salauddin Malik, S/o. Late Khaja Saifuddin, Age: 36 years, Occ: Pvt employee, R/o. Kashmiregadda, Karimnagar. Rep by GPA Holder Khaja Riazuddin Mahmood, S/o. Late Mohiuddin Shareef, Age: 73 years, Occ: Singareni Employee, R/o. Maskoor Colony, Mancherial Town of Adilabad District.
7. Khaja Gaziuddin Malik, S/o. Late Khaja Saifuddin.
8. Rafath Sultana, W/o. Mohd. Sarwar.
9. Nusrath Sultana, W/o. Mohd. Wajid Ali.
10. Raheem Unnisa Begum, W/o. Late Khaja Raziuddin Mahmood.
11. Khaja Fahad Mudassir, S/o. Late Khaja Raziuddin Mahmood, Age: 46 years, Occ: Pvt. Employee, R/o. Rajendernagar, Hyderabad. Rep by GPA Holder Khaja Riazuddin Mahmood, S/o. Late Mohiuddin Shareef, Age: 73 years, Occ: Singareni Employee, R/o. Maskoor Colony Mancherial Town of Adilabad District.
12. Khaja Sameed Mudassir, S/o. Late Khaja Raziuddin Mahmood, Age: 42 years, Occ: Pvt. Employee, R/o. Rajendernagar, Hyderabad. Rep by GPA Holder Khaja Riazuddin Mahmood, S/o. Late Mohiuddin Shareef, Age: 73 years, Occ: Singareni Employee, R/o. Maskoor Colony Mancherial Town of Adilabad District.
13. Uzma Mudassir, D/o. Late Khaja Raziuddin Mahmood, Occ: House Hold, R/o. Rajendernagar, Hyderabad.

Appellants/Appellants/Plaintiffs

(During pendency of the Suit, plaintiff no.1 died on 20/08/2010 & as per the orders passed in IA.No.215/2010, the plaintiff no.2 to 9 were brought on record and during pendency of suit, plaintiff no.2 died on 09/11/2016 & as per the orders passed in IA.No.85/2016, the plaintiff no.10 to 13 were brought on record.

AND

1. The State of Telangana (the then A.P.), Rep. by the District Collector, Karimnagar.
2. The Mandal Revenue Officer, Odela Mandal.
3. The Commissioner of Indian Medicines and Homeopathy (Ayurvedic) Department, Government of Telangana (the then A.P.), Market Street, Opp. Regional Passport Office, Secunderabad, Hyderabad, Telangana.
4. Grampanchayath Pothkapalli, Rep. by its Sarpanch.

Respondents/Respondents/Defendants

WHEREAS the Appellants above named through their Advocate M/s. M.R.S SRINIVAS presented this Second Appeal Under Section 100 CPC, seeking to grant injunction restraining the respondents from alienating or changing the nature of the property of the plaint schedule property in OS.31 of 2008 on the file of Junior Civil Judge, Sulthanabad, pending disposal of the above second appeal;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of M/s. M.R.S SRINIVAS Advocate for the Appellants, directed issue notice to respondents, herein to show cause as to why this SECOND APPEAL should not be admitted.

You viz:

1. The District Collector, State of Telangana (the then A.P.), Karimnagar.
2. The Mandal Revenue Officer, Odela Mandal.
3. The Commissioner of Indian Medicines and Homeopathy (Ayurvedic) Department, Government of Telangana (the then A.P.), Market Street, Opp. Regional Passport Office, Secunderabad, Hyderabad, Telangana.
4. The Sarpanch, Grampanchayath Pothkapalli.

are directed to show cause on or before 01.08.2024 to which date the case stands posted as to why in the circumstances set out in the appeal and the memorandum of grounds filed therewith (copy enclosed) this SECOND APPEAL should not be admitted.

The Court made the following:

ORDER:

Heard the arguments of learned counsel for the appellants.

Issue notice to the respondents.

Learned counsel for the appellants is permitted to take out personal notice on the respondents and file proof of service.

List on 01.08.2024.

**SD/-MOHD. ISMAIL
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The District Collector, State of Telangana (the then A.P.), Karimnagar.
2. The Mandal Revenue Officer, Odela Mandal.
3. The Commissioner of Indian Medicines and Homeopathy (Ayurvedic) Department, Government of Telangana (the then A.P.), Market Street, Opp. Regional Passport Office, Secunderabad, Hyderabad, Telangana.

4. The Sarpanch, Grampanchayath Pothkapalli (**RR 1 to 3 by RPAD- along with a copy of petition and memorandum of grounds**)
5. One CC to M/s. M.R.S SRINIVAS, Advocate [OPUC]
6. One spare copy

HIGH COURT

PSS,J



DATED: 28/06/2024

LIST ON: 01.08.2024

NOTICE BEFORE ADMISSION

SA.Nos.150 and 142 of 2024