

HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

PROCEEDING SHEET

MAIN CASE: WRIT PETITION No.11048 of 2023

Sl. No.	DATE	ORDER	OFFICE NOTE
4.	04.12.2025	<u>EVV, J</u> Heard Mr. K.Venumadhav, learned counsel for the petitioners, Mr. Somaiah Ezra Shastri, learned Assistant Government Pleader for Assignment appearing for respondent Nos.1 to 4 and Ms.Anitha, learned counsel representing Mr.Srinivas Podicheti, learned counsel for respondent Nos.5 to 8 on record. Learned counsel for the petitioners submitted that the petitioners are legally entitled successors to the properties of late husband of petitioner No.1. It is further submitted that the deceased person is none other than the husband of petitioner No.1 and father of petitioner No.2. It is further submitted that the deceased person is the title holder in respect of the property in Survey No.464/2AA to an extent of Ac.1-2000 guntas situated at Thimmapur Village, Kandukur Mandal, Rangareddy District by virtue of patta passbook issued in favor of the husband of petitioner No.1 bearing No.T05110130158 <i>vide</i> Khata No.320. That being the case, instead of granting succession in favor of the petitioners herein, at the behest of respondent Nos.5 to 8, the respondent No.4 had granted succession and mutated the names of	Tr. to I.O. folder subject to correctio ns if any

	respondent Nos.5 to 8 in the revenue records in respect of the subject property, who are none other than co-sisters of 1st petitioner, who were otherwise not entitled for any succession in terms of Class-I legal heirs as per Hindu Succession Act, 2005. It is further submitted that the said succession has been granted by ignoring the petitioners herein, who are otherwise legitimate successors to the properties of deceased person, who is the husband of 1st petitioner and father of 2nd petitioner. It is further submitted that the said succession was done without conducting any enquiry and no proceedings to that extent have been issued by respondent No.4, which is not only perverse and a clear abuse of process of law. Accordingly, learned counsel for the petitioners sought to set aside the said mutation proceedings and to grant succession in favor of the petitioners herein, who are otherwise legal entitled successors for succession. Learned counsel appearing online on behalf of respondent Nos.5 to 8 submitted that the entire writ petition revolves around the disputed questions of law, where the Civil Court alone would adjudicate the matter in respect of the succession of the properties of husband of 1st petitioner. Since the property is joint in nature, the succession has been granted appropriately in favor of respondent Nos.5 to 8. It is not a disputed fact that the respondents 5 to 8 are legally entitled for succession. Accordingly, succession is granted in favor of them.	
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		Learned Assistant Government Pleader for Assignment sought short accommodation of time to obtain instructions on the aspect of the proceedings, on which the succession has been granted in favor of the unofficial respondents and to make further submissions to substantiate the action of respondent No.4. List this matter under the caption “for orders” on 11.12.2025. EVV, J Nsk	
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