

HIGH COURT FOR THE STATE OF TELANGANA HYDERABAD
MAIN CASE No:W.P.No.12534 of 2016
PROCEEDING SHEET

SL. NO	DATE	ORDER	OFFICE NOTE
	09.03.2026	<p><u>JAK, J</u></p> <p>This writ petition is filed with the following prayer:</p> <p>“... to issue a Writ of Certiorari or other appropriate order or direction in the nature of a Writ calling records in case No.F2/5414/2009 dated 30.01.2016 passed by the second respondent Joint Collector-I, Ranga Reddy District arising out the proceedings No.L/3267/2007 dated 12.11.2007 passed by the 3rd respondent and quash the same as arbitrary, discriminatory and violative of Articles 14 and 300A of the Constitution of India and contrary to the provisions of Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950 in the interest of justice and pass such other or further orders as this Hon’ble Court deems fit and proper in the circumstances of the case.”</p> <p>Today, learned Standing counsel for GHMC has placed on record the report of GHMC officer. Report was sought for by this Court. There was a submission made before this Court that the certificate of death annexed is a fake certificate. This Court is recording these facts. Learned counsel for petitioners is represented by a proxy and learned counsel for respondent No.7 is represented by a junior counsel.</p> <p>The case of petitioners is that, Joint Collector (respondent No.2) passed an order in Case No. F2/5414/2009 dated 30.01.2016, whereby the order dated 12.11.2007 passed by the Special Grade Deputy Collector-cum-RDO, Chevella Division, Ranga Reddy District, respondent No.3, in favour of respondent No.6 was upheld. A sale certificate under Section 38-A of Andhra Pradesh (Telangana Area)</p>	

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		<p>Tenancy and Agricultural Lands Act, 1950 was issued for the land to an extent of Acs.2.10 guntas in Survey Nos.28/1 and 28/2 situated at Begumpet Village of Balanagar Mandal. Petitioners' further case is that one late Rustum Ali Khan was the protected tenant of the subject land and that on expiry of Rustum Ali Khan on 16.08.2004, petitioners succeeded to the subject land as legal heirs.</p> <p>It is trite to take note of the fact that this Court requested learned Standing Counsel for Greater Hyderabad Municipal Corporation (GHMC) to submit a report in respect of death certificates annexed by petitioner stating that late Rustum Ali Khan expired on 16.08.2004. Registrar of Births and Deaths issued a report dated 26.02.2026 and a letter dated 05.03.2026 addressed to the Registrar (General) of High Court for the State of Telangana. The contents of the report dated 26.02.2026 are as follows:</p> <p>“... As cited in the subject above read with the reference cited, it is to submit to the Hon'ble High Court for the State of Telangana that RUSTUM ALI KHAN, s/o. RAHMATULLAH KHAN, 1-8-841/8-2RT, Prakash Nagar, Begumpet, Hyderabad. The above individual death certificate details were NOT RECORDED in the register of Charminar circle thought the Death certificate mentions place of death as G/M/H presumably considered as Government Maternity Hospital, Nayapool, Hyderabad, with Registration date: 26.08.2004 Registration no:1635/2004.</p> <p>Whereas, the above-mentioned hospital admits FEMALE patients ONLY for Obstetric & Gynecological ailments and MALE patients will be referred to Osmania hospital or any other nearby Government health facility.</p> <p>Hence, it is to submit that details of Death certificate furnished are NOT FOUND in this circle</p>	

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		<p>and hence this Death certificate is considered "INVALID."</p> <p>The contents of letter 05.03.2026 are as follows:</p> <p>“... In accordance to the subject and reference cited, it is to submit, to the Hon’ble High Court for the State of Telangana which sought information on death certificate of RUSTUM ALI KHAN, S/o. RAHMATULLAH KHAN, 1-8-841/8-2RT, Prakash Nagar, Begumpet, Hyderabad.</p> <p>The details of the above individual death certificate were NOT FOUND in the Register of Goshamahal Circle though the Death certificate mentions the place of death as Osmania General Hospital, Date of Death 07.11.2004 with Registration No.1536, Date of Registration:16.08.2004.”</p> <p>On a perusal of the report dated 26.02.2026 and letter dated 05.03.2026, it is apparent that both the death certificates, which are annexed to record, are “NOT FOUND” in the register maintained by GHMC. In other words, it is not forthcoming as to whether the petitioners’ father late Rustum Ali Khan is alive or dead. But, it is claimed by petitioners on the basis of death certificate, dated 16.08.2004, annexed as a document (P.7 at page No.53), that petitioners succeeded to the subject land as legal heir(s).</p> <p>When the very death of Rustum Ali Khan is under a cloud and the certificates produced are not registered in the register maintained by GHMC, it is an aspect which needs to be gone into and cannot be ignored. The very claim is based on certificates which are <i>prima facie</i> not genuine certificates, certificates not registered in Births & Death Register.</p> <p>This Court is inclined to levy costs on the</p>	

