

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

MONDAY, THE SIXTH DAY OF SEPTEMBER TWO THOUSAND AND TWENTY ONE ✓

:PRESENT:

THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY ✓

WRIT PETITION NO: 20151 OF 2021

Between:

Musku Karuna Devi, W/o. late Musku Anand Reddy

...Petitioner

AND

1. State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The District Special Tribunal, Jagtial, Rep. by its District Collector, Jagtial, Jagtial District.
3. The Revenue Divisional Officer, Jagtial, Jagtial District.
4. The Tahsildar, Jagtial (Rural) Mandal, Jagtial District.
5. The Girdawar/Mandal Revenue Inspector, O/o. Tahsildar, Jagtial (Rural) Mandal, Jagtial District.
6. The Village Revenue Officer, Habsipur village, Jagtial (Rural) Mandal, Jagtial District.
7. Mittapalli Hamsa @ Musku Hamsa, W/o. late Anand Reddy, aged 35 years, Occ: Housewife, R/o. Flat No.201, H.No.3-6-37/F, Mahalaxmi Residency, Vani Nagar, Jagtial Town, Jagtial District.

...Respondents

WHEREAS the Petitioner above named through her Advocate M/s V. ROHITH presented this 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 any appropriate Writ, Order or direction more in the nature of Writ of Certiorari calling for records relating to order passed by the District Special Tribunal, Jagtial in File No.D/ST/212/2021 Case No.D1/510/2020 dated: 16/06/2021 upholding the communication issued by the Respondent No.3 i.e., Revenue Divisional Officer, Jagtial vide Lr No.B/228/2020 dated: 11/03/2020 directing the Respondent No.4 i.e., Tahsildar, Jagtial Rural Mandal for implementation of registered will deed No.1/2018 dated: 29/01/2018 executed in favour of Respondent No.7 and the consequential proceedings vide Proceedings No.B/323/2019 dated: 30/03/2020 issued by the Tahsildar, Jagtial (Rural) Mandal i.e., Respondent No.4 sanctioning mutation in favour of Respondent No.7 herein in respect of the land in Sy No.106 extent Ac. 13-26 guntas situated at Habsipur village, Jagtial (Rural) Mandal, Jagtial District and quash the same by duly declaring the above orders as arbitrary, illegal, violative of principles of natural justice, violative of Article 14 of Constitution of India and also contrary to the provisions of Telangana Rights in Land and Pattadar Books Act, 1971 and the Telangana Rights in Land and Pattadar Pass Books Rules 1989 apart from well settled principles of law with regard Hindu Succession Act, 1956 and also law of wills and set aside the same in the interest of justice and equity.

(Prayer is amended as per Court Order dated: 06/09/2021 in I.A.No.2 of 2021).

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of M/s V. ROHITH Advocate for the Petitioner, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat, Hyderabad.
2. The District Collector, District Special Tribunal, Jagtial, Jagtial, Jagtial District.
3. The Revenue Divisional Officer, Jagtial, Jagtial District.
4. The Tahsildar, Jagtial (Rural) Mandal, Jagtial District.
5. The Girdawar/Mandal Revenue Inspector, O/o. Tahsildar, Jagtial (Rural) Mandal, Jagtial District.
6. The Village Revenue Officer, Habsipur village, Jagtial (Rural) Mandal, Jagtial District.
7. Mittapalli Hamsa @ Musku Hamsa, W/o. late Anand Reddy, Occ: Housewife, R/o. Flat No.201, H.No.3-6-37/F, Mahalaxmi Residency, Vani Nagar, Jagtial Town, Jagtial District.

are directed to show cause on or before 23-09-2021 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the communication issued by the Respondent No.3 i.e., Revenue Divisional Officer, Jagtial vide Lr.No.B/228/2020 dated: 11/03/2020 directing the Respondent No.4 i.e., Tahsildar, Jagtial Rural Mandal for implementation of registered will deed No.1/2018 dated: 29/01/2018 executed in favour of Respondent No.7 and the consequential proceedings vide Proceedings No.B/323/2019 dated: 30/3/2020 issued by the Tahsildar, Jagtial (Rural) Mandal i.e., Respondent No.4 sanctioning mutation in favour of Respondent No.7 herein in respect of the land in Sy.No.106 extent Ac. 13-26 guntas situated at Habsipur village, Jagtial (Rural) Mandal, Jagtial District and which were upheld by the District Special Tribunal, Jagtial in File No.D/ST/212/2021 Case No.D1/510/2020 by order dated: 16/06/2021, pending disposal of WP.No.20151 of 2021, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission.

Sri Bharath Chandra Madas, learned counsel for the caveator/respondent No.7, seeks time for filing counter.

Post on 23.09.2021.

In the meanwhile, there shall be interim suspension, as prayed for.

SD/- T. KRISHNA KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat, Hyderabad.
2. The District Collector, District Special Tribunal, Jagtial, Jagtial, Jagtial District.
3. The Revenue Divisional Officer, Jagtial, Jagtial District.

4. The Tahsildar, Jagtial (Rural) Mandal, Jagtial District.
5. The Girdawar/Mandal Revenue Inspector, O/o. Tahsildar, Jagtial (Rural) Mandal, Jagtial District.
6. The Village Revenue Officer, Habsipur village, Jagtial (Rural) Mandal, Jagtial District.
7. Mittapalli Hamsa @ Musku Hamsa, W/o. late Anand Reddy, Occ: Housewife, R/o. Flat No.201, H.No.3-6-37/F, Mahalaxmi Residency, Vani Nagar, Jagtial Town, Jagtial District (RR 1 to 7 by RPAD along with a copy of petition and affidavit).
8. One CC to M/s. V. ROHITH, Advocate [OPUC].
9. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT].
10. One spare copy
ZEE

HIGH COURT

AARJ

DATED:06/09/2021

POST ON 23.09.2021

NOTICE BEFORE ADMISSION

WP.No.20151 of 2021

INTERIM SUSPENSION

