

IN THE COURT OF THE SR. CIVIL JUDGE
R.R. DIST AT L.B.NAGAR

O.S. No. of 2008

Between

1.Eega Sattaiah son of Eega Pentaiah
Aged 65 years, occ. Agriculture
r/o 2-3-54, Chinna Cherlapally,
Ghatkesar mandal RR Dist

2.Eega Sailu son of Eega Pentaiah
Aged 47 years, occ. Agriculture
r/o 2-3-54, Chinna Cherlapally,
Ghatkesar mandal RR Dist

3. Eega Yadaiah son of Eega Pentaiah
Aged 46 years, occ. Agriculture
r/o 2-3-54, Chinna Cherlapally,
Ghatkesar mandal RR Dist

4.Smt. Chukkamma wife of Anantaiah
D/o Eega Pentaiah
Aged 60 years, occ. household
r/o 2-3-54, Chinna Cherlapally,
Ghatkesar mandal RR Dist

5.Smt.Anjamma wife of
D/o Eega Pentaiah
Aged 55 years, occ. household
r/o 2-3-54, Chinna Cherlapally,
Ghatkesar mandal RR Dist

Plaintiffs

And

All concerned

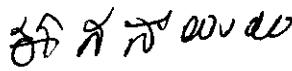
Defendants

SUIT FOR DECLARATION
PLAINT UNDER ORDER 7 RULE 1 & SEC. 26 CPC

Description of the plaintiffs;

The address of the plaintiffs for the purpose of service of all summons, notices,
etc., is

1.Eega Sattaiah son of Eega Pentaiah
Aged 65 years, occ. Agriculture
r/o 2-3-54, Chinna Cherlapally,
Ghatkesar mandal RR Dist



E. Sattaiah




E. Yadaiah



Chukkamma



Anjamma


E. Sattaiah

2.Eega Sailu son of Eega Pentaiah
Aged 47 years, occ. Agriculture
r/o 2-3-54, Chinna Cherlapally,
Ghatkesar mandal RR Dist

3. Eega Yadaiah son of Eega Pentaiah
Aged 46 years, occ. Agriculture
r/o 2-3-54, Chinna Cherlapally,
Ghatkesar mandal RR Dist

4.Smt. Chukkamma wife of Anantaiah
D/o Eega Pentaiah
Aged 60 years, occ. household
r/o 2-3-54, Chinna Cherlapally,
Ghatkesar mandal RR Dist

5.Smt.Anjamma wife of _
D/o Eega Pentaiah
Aged 55 years, occ. household
r/o 2-3-54, Chinna Cherlapally,
Ghatkesar mandal RR Dist

and that of their counsel M/s M Papa Reddy, Sunil B. Ganu and Manjiri S Ganu,
Advocates C/o Ganu and Co Advocates, 201-202,3.5.874/4 Vipanchi Estate, Hyderguda,
Hyderabad

Description of the defendant:

The address of the defendant for the purpose of service of all summons, notices,
process etc., is


All concerned

The plaintiffs submit as follows:-

1. Father of plaintiffs late Sri Eega Pentaiah was a protected tenant in respect of
lands in old sy.No.102 corresponding to new sy.nos.11, 12, 14 and 18 part admeasuring
Ac 6-00 gts situated at Cherlapally village, ghatkesar mandal RR Dist. During the
lifetime of late Sri Eega Pentaiah he has been cultivating the said land as a protected
tenant. Sri Eega Pentaiah died on _____ at _____ leaving behind the plaintiffs
herein as his only legal heirs. Other than the plaintiffs there are no other legal heirs of
late Sri Eega Pentaiah. Xerox copy of extract of PT register is filed herewith and
marked as **document No.1**. Original death certificate issued by the concerned
authorities is filed herewith and marked as **document No.2**.

2. Originally the lands in old sy.no.102 corresponding to new sy.nos.11, 12, 14 and
18 part situated at Cherlapally village, ghatkesar mandal RR Dist belonged to late Sri P
Sai Reddy, late Linga Reddy and Narsa Reddy. Father of plaintiffs was cultivating the


E. Saffarath


E. Sailu


E. Yadaiah


Chukkamma


Anjamma

said land as a protected tenant. After the death of late Eega Pentaiah it is the plaintiffs alone who are entitled to succeed to tenancy rights of their late father.

3. After the death of Eega Pentaiah, the plaintiffs have not been cultivating the said lands as there was no water resources for the purpose of cultivation. Moreover the plaintiffs are otherwise preoccupied and as such have decided to surrender the tenancy rights in favour of the legal heirs of original pattedars before the concerned Tahsildar Ghakesar mandal RR Dist. The plaintiffs had approached the Mandal Revenue Officer for issuance of succession in respect of the tenancy rights under section 40 of A.P. Telengana Area, Tenancy & Agricultural lands Act 1950 on _____. However, the Mandal Revenue Officer has refused to receive the application and to entertain the same on the ground that in view of orders passed by the Hon'ble High Court of AP in writ petition, a legal heirs certificate has to be obtained by approaching Civil Court. The plaintiffs are advised to state that for surrender of tenancy rights in favour of the pattedars, it is necessary to obtain relief of declaration declaring that the plaintiffs are the only legal heirs of late Sri Eega Pentaiah. It is in the said circumstances that the plaintiffs have approached this Hon'ble Court. Hence this suit.

JURISDICTION

4. The deceased Eega Pentaiah was a permanent resident of Cherlapally village, Ghatkesar mandal RR Dist within the jurisdiction of this Hon'ble Court. This court, therefore, has jurisdiction to try the suit.

CAUSE OF ACTION

5. The cause of action arose on _____ when late Eega Pentaiah passed away leaving behind the plaintiffs as his only legal heirs. It also arose on _____ when the Mandal Revenue Officer refused to entertain the application for succession under section 40 of the Act. The suit, therefore, is within limitation.

LIMITATION;

6. Mandal Revenue Officer has refused to entertain the application for succession under section 40 of the Act on _____. The suit, therefore, is within limitation.

7. The plaintiffs do hereby declare that the plaintiffs have not filed any suit of a similar nature against the defendants and that no suit or proceedings are pending between the parties in any court.



E. Subbarao

E. Subbarao

E. Subbarao



E. Madalaiah



Chukkannaiah



Arjamma

VALUATION

8 The relief of declaration is valued under section 24[b] of A.P.C.F. & S.V. Act at Rs 1,00,000/- and an advalorem court fee amounting to Rs is paid thereon which is sufficient under Article 1 b and c of the Act.

PRAYER;

a] A decree be passed in favour of the plaintiffs declaring that the plaintiffs are the only legal heirs of late Sri Eega Pentaiah and are entitled to succeed to the tenancy rights as held by their late father Sri Eega Pentaiah in respect of property being agricultural lands in old sy.No.102 corresponding to new sy.nos.11, 12, 14 and 18 part admeasuring Ac 6-00 gts situated at Cherlapally village, ghatkesar mandal RR Dist

b] Any other relief or reliefs to which the plaintiffs are entitled to may also be granted.

		1	Plaintiffs
E. Sallataiah			
E. Saitu		2	<i>[Handwritten signature]</i>
E. Madalatah			
Chittamma			
Arjamma			

Counsel for plaintiffs

VERIFICATION

We, the above named plaintiff do hereby declare that the contents of the plaint mentioned herein above are true and correct to the best of our knowledge, belief and information and hence verified on this the day of March, 2008 at Hyderabad.

			Plaintiffs
E. Sallataiah			
E. Saitu		2	<i>[Handwritten signature]</i>
E. Madalatah		3	
Chittamma			
Arjamma		5	

SCHEDULE OF PROPERTY

All that property being agricultural lands in old sy.No.102 corresponding to new sy.nos.11, 12, 14 and 18 part admeasuring Ac 6-00 gts situated at Cherlapally village, ghatkesar mandal RR Dist and bounded on the

North :Road and land in survey no 133 and 136
 South: land in survey no 13 and 168
 East land in survey no 137
 West land in survey no 17 and 15

E Sathiah
 E Sulu
 E Yadaiah
 Chellamma
 Arjamma

Plaintiffs

1
 2 *S. Sathiah*
 3
 4
 5

VERIFICATION

We, the above named plaintiff do hereby declare that the contents of the schedule of property mentioned herein above are true and correct to the best of our knowledge, belief and information and hence verified on this the _____ day of March, 2008 at Hyderabad.

E. Sathiah
 Sulu
 Yadaiah
 Chellamma
 Arjamma

Plaintiffs

1
 2 *S. Sathiah*
 3
 4
 5

LIST OF DOCUMENTS FILED :

S.No.	Date of Documents	Parties to Documents	Description of the Documents
1		plaintiffs	Xerox copy of extract of PT register
2		-do-	Original death certificate

Dt .3.2008

Counsel for plaintiffs

IN THE COURT OF THE SR.
CIVIL JUDGE R.R. DIST AT
L.B.NAGAR

O.S. No. _____ of 2008
Between
Eega Sattaiah and others
Plaintiffs
And
All concerned
Defendants

SUIT FOR DECLARATION
PLAINT UNDER ORDER 7
RULE 1 & SEC. 26 CPC

Filed on: -3-2008
Filed by:
M/s M Papa Reddy(130/71)
Sunil B Ganu
Manjiri S Ganu
Counsel for plaintiffs