

PROCEEDINGS OF THE TAHSILDAR VALLABH NAGAR TALUK

19

PRESENT: Shri A.Narsainah, B.A.,

No. B/3331/84

Dated: 24-12-1984.

Sub: Tenancy - Ranga Reddy district-Vallabhnagar taluk - Begumpet village succession u/s.40 of A.P. (T.A) Tenancy & Agri. Land Act 1950 orders - issued - Regarding.

Ref: 1) A/o. Smt. Narsamma & 2 others dt. 13-7-1984.
2) Notification issued by this office on 16-7-84.

ORDER:

Sri Varkuppala Rammiah, S/o. Yellaiah, Protected Tenant over Sy.No.37 admeasuring 1-35 of Begumpet village has expired on 12-12-1983. Local enquiry conducted by me on 23-8-1984 in the presence of panchas and public, revealed that the actual Protected Tenant certificate holder died leaving the legal heirs as follows.

- | | | | |
|------------------|---|---------|---------------------|
| 1) Smt. Narsamma | 1 | Ac.Gts. | 1/3rd equal shares. |
| 2) Sri Laxman | 1 | 1-35 | |
| 3) Sri Yadagiri | 1 | | |

Hence succession of the deceased Protected Tenant is sanctioned u/s. 40 of A.P. (T.A) Tenancy and Agri. lands Act 1950 in the name of the persons shown above with the share noted against each.

Tahsildar
Vallabhnagar taluk

To
The Individual
Copy to the Village Assistant for information.
Copy to the Spl. Revenue Inspector for information.

W
16/12/84
VALLABH NAGAR TALUK
TAHSILDAR'S OFFICE

నం. 134/87



మండల కార్యదర్శి
పాఠశాల కమిషనరులు, గిరి
బ. 7-5-87

అనుమతి
పట్టిక

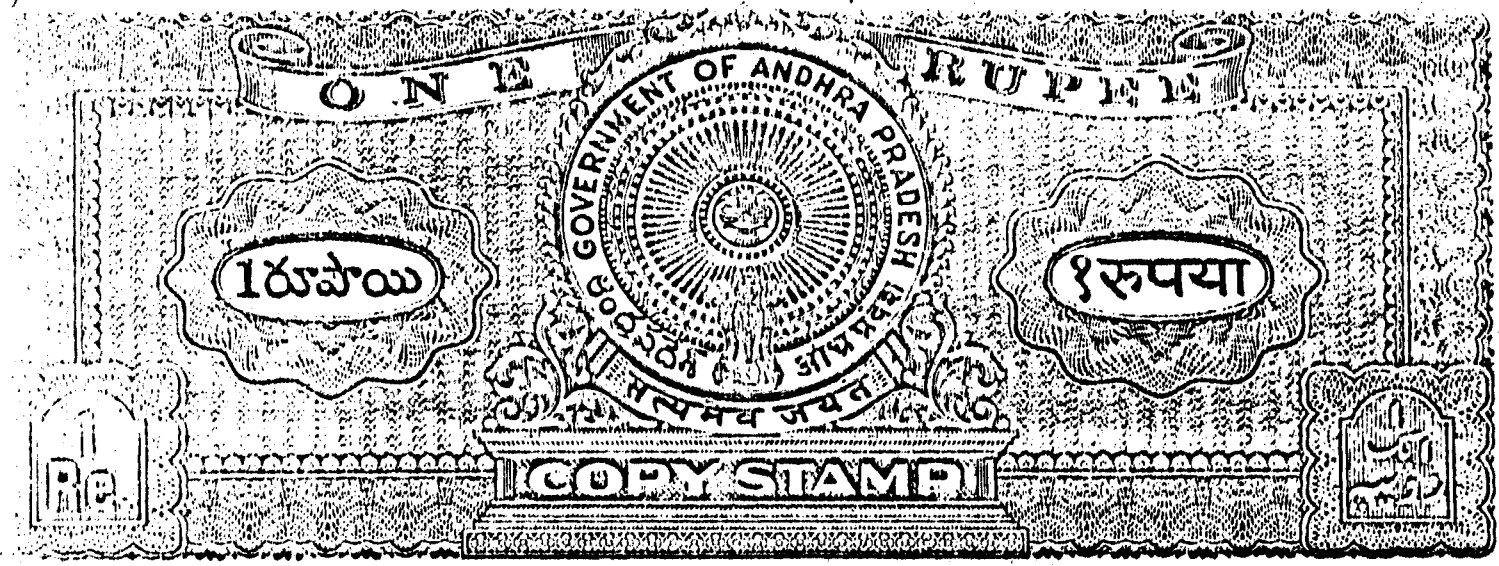
బ. 6-5-87

శ్రీ పి. చంద్రన్, జి.పి.ఎ. గారికి అనుమతి పేరునగా పాఠశాల
నం. 37 కులము 36, అనుమతి పేరునకు గ్రామ పంచాయతీ ప్రాధమిక
అనుమతి నం. గురువీర స్వస్థ వీధి పాఠశాల ముము వం. పి.పి.వి. 124/87
నం. 5-5-87 బారీ చిత్తకొండ నాగ సి.సి.ఎం. కి.కె. పి. కె. ప్రా. పాఠశాల
రామకర్తి ఉండమలమ్మనగారి పాఠశాల కలదు. కాస్తవ ముదు కిరవ వాడన
నం. 37 పి.సి. వం. అ, కాపిసి విడిగా బారీ చిత్తకొండ మున్నటి, పం. 37
అ. పి. కె. అం. కాస్తవ. అనుమతి పేరున

శ్రీ పి. చంద్రన్ జి.పి.ఎ.
ప్రభుత్వ పాఠశాల ఉపాధ్యక్షులు
ముమ్మిరాళి,
పా. కె. గి. కె.

శ్రీ గౌ. న. స. కమిషనరులు
పాఠశాల కమిషనరులు
అనుమతి పేరున

చివరి ప్రతి:
శ్రీ కె. కె. పాఠశాల ఎక్స్ క్యూజి. పి. ప్రా. కె.
గురువీర స్వస్థ వీధి, తి. కె. కె. 1-10-87/213
పా. కె. గి. కె. పా. కె. గి. కె.



Copy of:

PROCEEDINGS OF THE MANDAL SEVENTE OFFICER, BALANAGAR MANDAL.

Present: Sri G. Madhusudan.

D. Dis. Proc. No. B/129/92.

Dt: 21-3-1992.

SUB: TENANCY - Ranga Reddy District - Balanagar(M) - Begumpet Vr. - Succession U/s 40 of A.P.(T.A.) Tenancy and Agricultural Lands Act, 1950-Orders Issued.

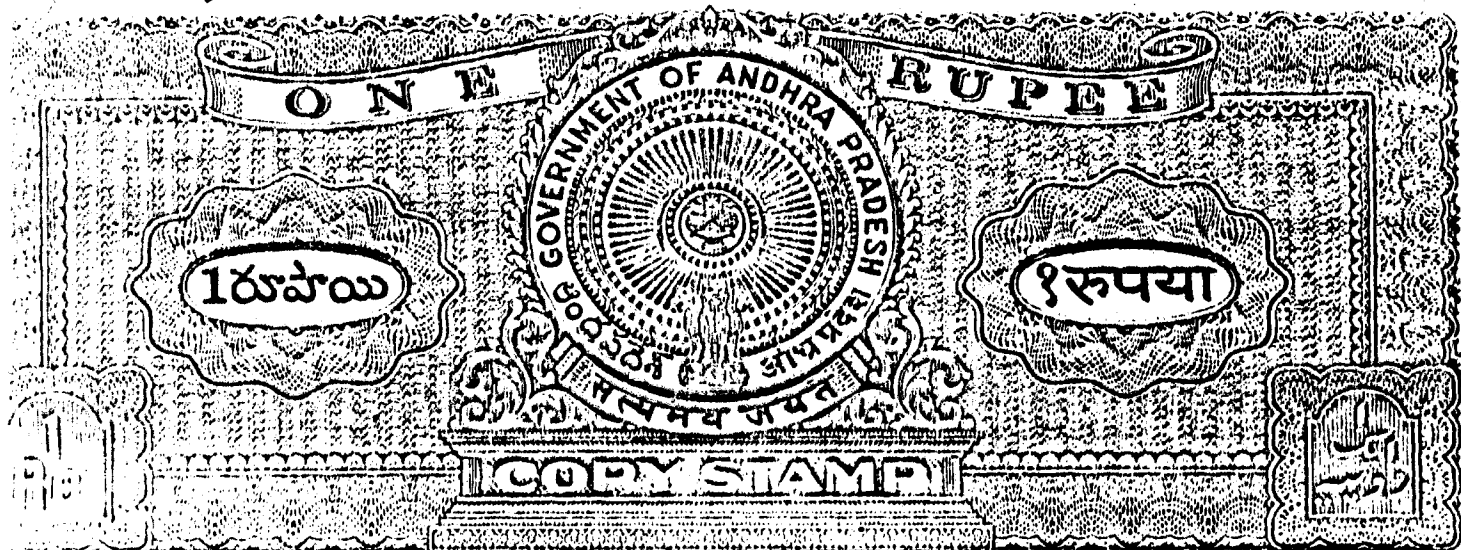
REF: 1. S/o Smt Varikuppula Durgamma and another dt. 21.1.1992.
2. Notification issued by this office on 25.1.1992.

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ORDER:

1. Smt Varikoppula Durgamma and another has jointly filed a petition vide reference 1st read above for the sanction of succession of Protected Tenancy rights in their favour in respect of the Agricultural land bearing Sy.No.37 admeasuring Ac.1.37 gts. situated at Begumpet village, BalanagarMandal, Rangareddy District.
2. The matter has been taken up for enquiry and a Notification issued on 25-7-1992 calling for objections if any. Notices to the petitioners and to the respondents were issued and got served.
3. Statement of Smt V.Durgamma and Sri V.Mallalah petitioners have been recorded. The statement of Sri V.Laxman recorded. The statement of Mohd.Jamalu din, the neighbouring tenant of the suit land has been recorded.

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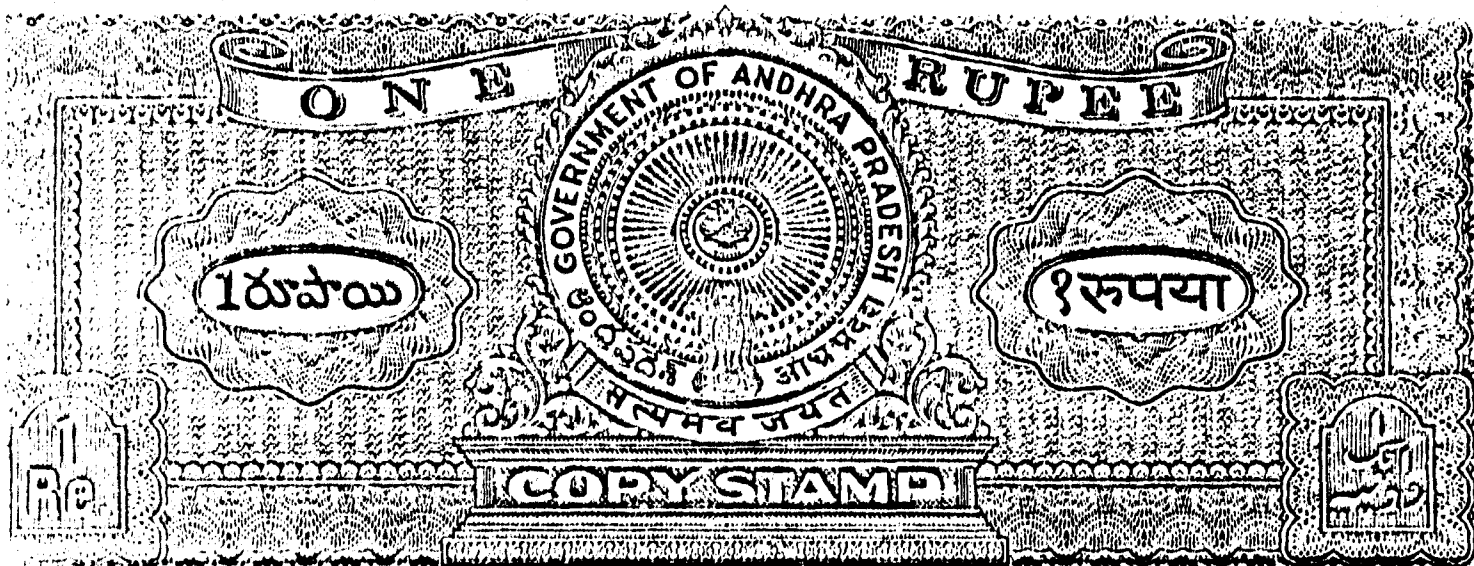


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4. Smt V.Durgamma in her statement stated that she was the first wife of late V.Ramaiah and got one son by name Sri V.Mallaiah that late V.Ramaiah, her husband married late V.Narsamma who was the second wife through which she got two sons namely V.Laxman and V.Yadagiri and that she did not know till recently that the succession of Protected tenant rights were granted in favour of Second wife Smt V.Narsamma and her sons Laxman and Yadagiri. She further stated that she being the first wife and her sons Mallaiah are entitled for succession of Protected Tenancy rights by virtue of inheritance. She has also stated for the grant of Protected Tenancy rights in her favour and in favour of his son Sri V.Mallaiah alongwith Sri V.Laxman and Sri V.Yadagiri sons of late V.Narsamma since succession was hitherto sanctioned in favour of V.Narsamma, Laxman and V.Yadagiri. Sri V.Mallaiah the second petitioner and opted the statement adduced by his mother V.Durgamma.

5. Sri V.Laxman in his statement admitted that Smt V.Durgamma is the first wife to his late father and Sri V.Mallaiah is the son of Smt V.Durgamma. He has further admitted that he did not impleaded Smt V.Durgamma and V.Mallaiah when proceedings were initiated before the Tahsildar, Vallabhnagar taluk for grant of

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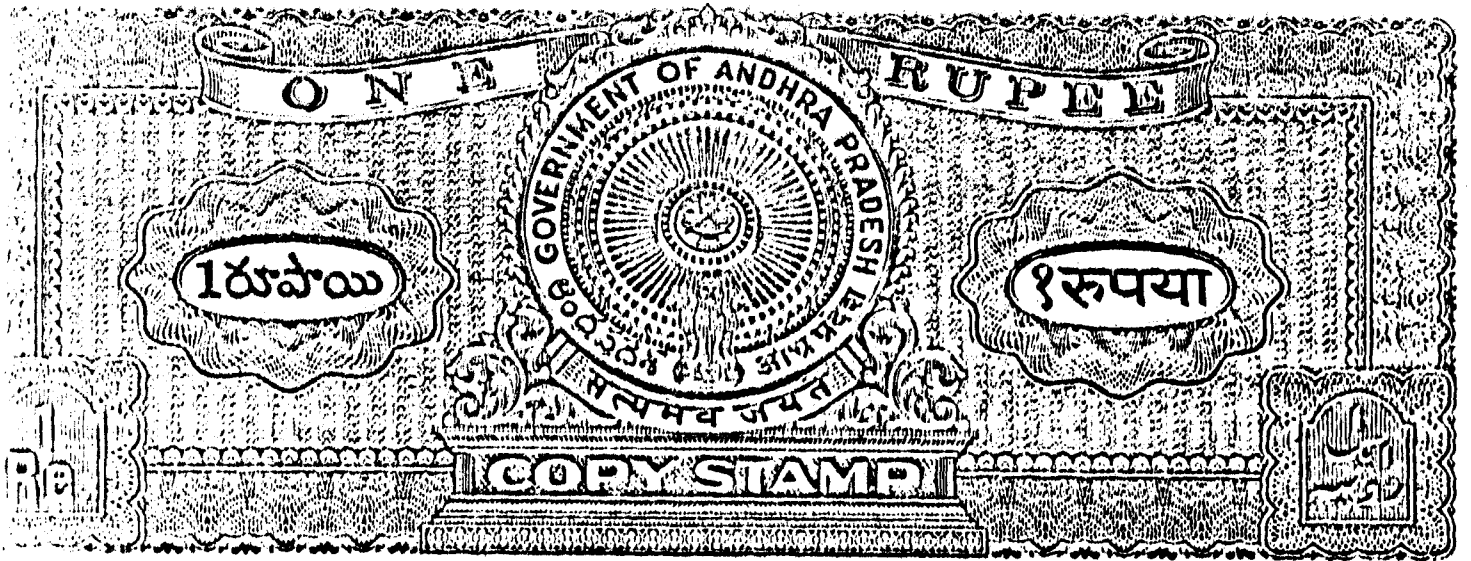
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succession of Protected Tenancy rights. He has agreed that Smt V.Durgamma and Mallaiiah also got rights in the above property and put with himself and his brother Yadagiri. He has also stated no objection for the grant of succession of Protected Tenancy rights. In favour of Smt Durgamma and V.Mallaiiah along with himself and his brother Yadagiri, his mother Smt Narsamma since died. Further he has stated that him-self and his brother Yadagiri are in physical possession and enjoyment of the said land. Sri V.Yadagiri son of late V.Ramaiah agreeing the contents of the statement of his brother Lakman and adopted.

6. Sri Mohd.Jamaluddin, one neighbouring tenant of the suit land in his deposition stated that he know late V.Ramaiah who had two wives, the first wife Smt V.Durgamma, the Second Smt V.Narsamma and V.Mallaiiah is the son of first wife while Sarwasri Lakman and Yadagiri are the sons of late V.Narsamma the second wife.

7. During the course of enquiry the Advocate for the petitioner contended that one Sri Varikoppula Ramaiah was a Protected Tenant over the said suit lands and that Smt Varikoppula Durgamma widow of Ramaiah and Sri Varikoppula Mallaiiah S/o Ramaiah succeeded to

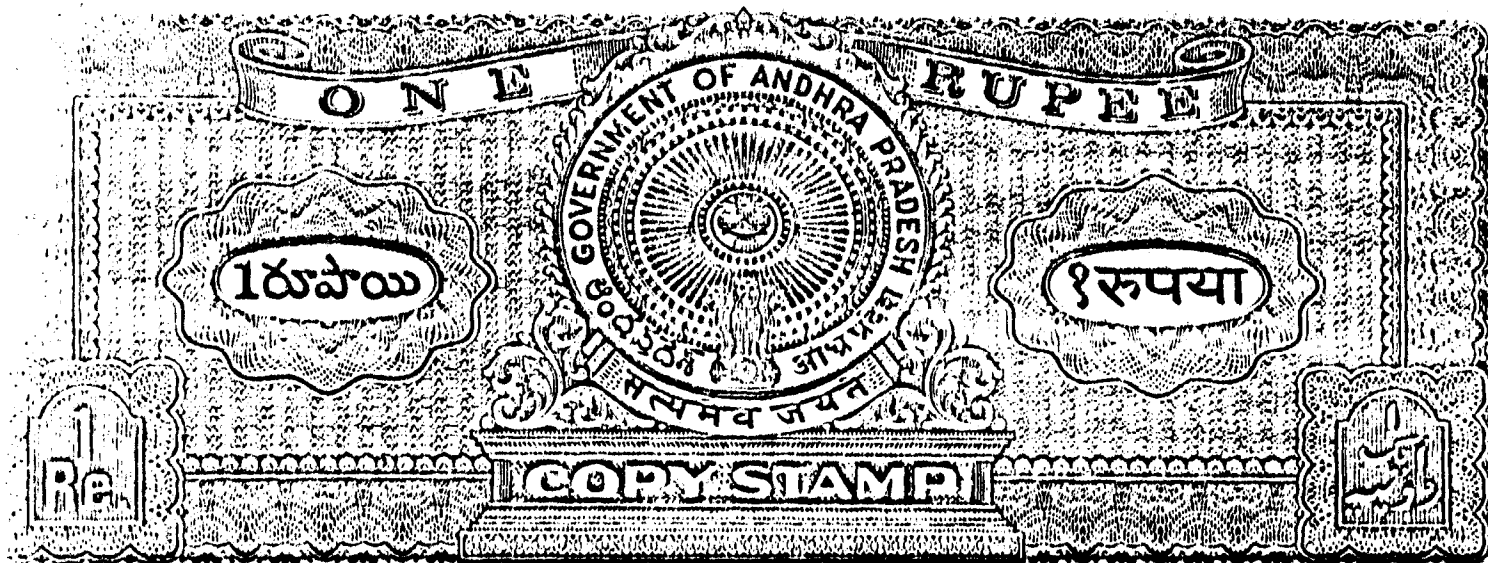
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the Protected Tenant rights by virtue of inheritance to that being Smt V.Durgamma first wife of late Ramaiah and Smt V.Mallalar are entitled for the P.T.rights held by late V.Ramaiah. The advocate for the petitioner for their contended that the respondents got the succession certificate in regard to the P.T. rights over the above said land depriving the legitimate rights of the petitioners and without impleading the petitioners herein before the Tahsildar, Vallabhnagar when succession proceedings were initiated and the petitioners came to understand recently that succession of P.T.rights were granted in favour the respondents, therefore being the petitioners possess the legitimate and law-ful rights to succeed to the rights of the P.T. held late V.Ramaiah. The Advocate for the petitioner verimentaly stated that the petitioners are legal decendants and therefore the succession granted by the Tahsildar, Vallabhnagar Taluk by this order dt. 21.12.1981 in Proc.D&Dis.No.B/3331/84 are vituated, since because Smt V.Durgamma is the first wife and her off-spring son V.Mallalar who are also entitled for the succession of P.T. rights since the petitioners amicably agreed with the respondents to share the P.T.rights with the respondents originally held by late V.Ramaiah and requested for grant of succession of P.T. rights accordingly,

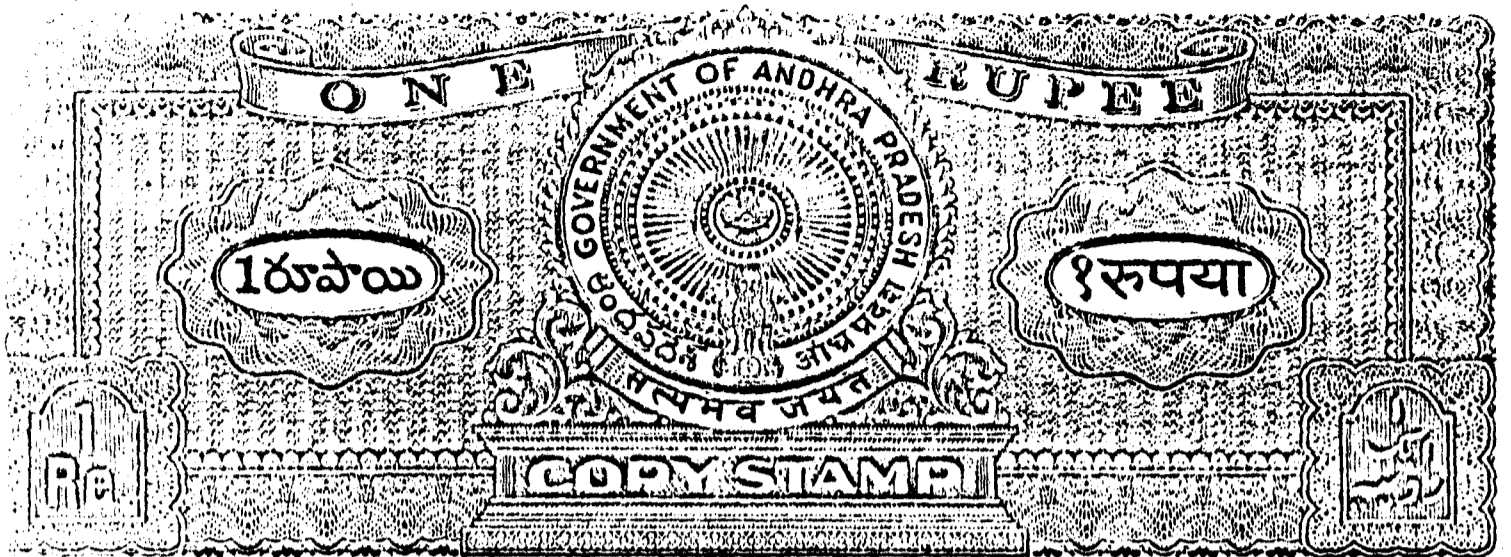
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8. Perused the records of P.T. and as is evident from it the name of V. Ramaiah is recorded as P.T. against the lands bearing No. 37 of Begumpet village. At the time of succession of Protected Tenancy rights, the respondents herein could have revealed the fact of existence of the petitioners herein who were legal heirs, during the proceedings of the enquiry of succession of P.T. rights. The facts of such existence was kept in dark purposefully by the respondents above by the respondents depriving the rights of the petitioner herein. The respondents above are not eligible to enjoy the right held by V. Ramaiah in the suit property. Of course, the petitioners have approached for grant of succession of Protected Tenancy rights in their favour although their request not based by the limitations. The petitioners are legally entitled for the P.T. rights held by the late V. Ramaiah. The respondents counted their ownership by not bringing the petitioners on record when the succession proceedings were initiated by the Tahsildar, Vallabhnagar. The respondents have agreed for the proposed sanction of P.T. rights in favour of the petitioners, though they cannot deny stated no objection for the inclusion of petitioner as P.Ts. along with the respondents.

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In view of the above germane facts I hereby order for the inclusion of both the petitioners granting succession of the PGT. rights in respect of Agricultural lands bearing Sy.no 37 of Begumpet village alongwith the respondents deleting the name of Smt. Narasamma since died. Accordingly the names of the petitioners and the respondents as well be recorded in final Tenancy register of Begumpet village.

Pronounced in the open court on this 21st day of March, 1992.

Sd/-
MANDAL REVENUE OFFICER,
BALANAGAR.

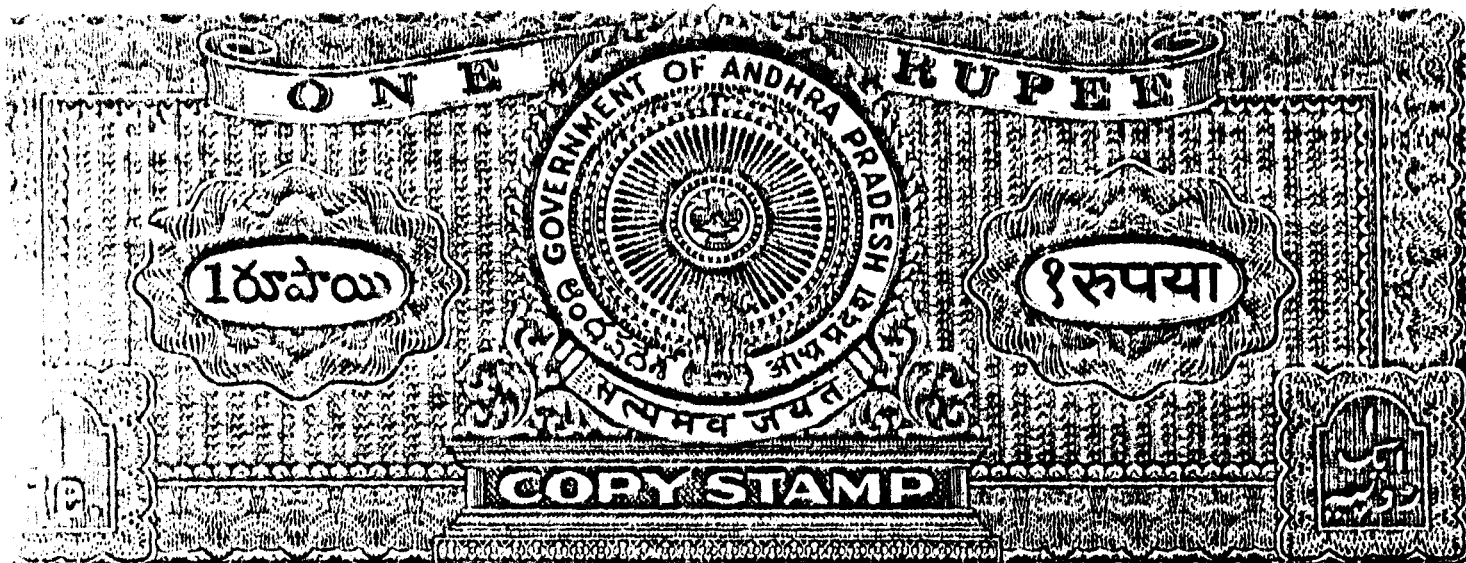
To

Smt V. Durgamma and another
through their counsel.

Sri V. Laxman and another R/o H.No. 1-11-201/20,
Siyamal Building, Begumpet, Hyd.

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Neddi
Mandal Revenue Officer
BALANAGAR Mandal,
RANGA REDDY DISTRICT.



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Proceedings of the Mandal Revenue Officer, Balanagar Mandal,
Ranga Reddy District.

Present: Sri G. Narsimha Reddy,
Mandal Revenue Officer.

Case No. R/3/93, dt. 2.3.93.

SUB: Tenancy - Balanagar (M) - Begumpet Vg. - Sy. No. 37 -
Succession - Release of P.T. Rights in favour of
Share Holders - Orders - Issued.

1. Petition submitted by V. Malliah, s/o Late Ramaiah,
and V. Durgamma wife of Late Ramaiah, dt. 01.01.1993.

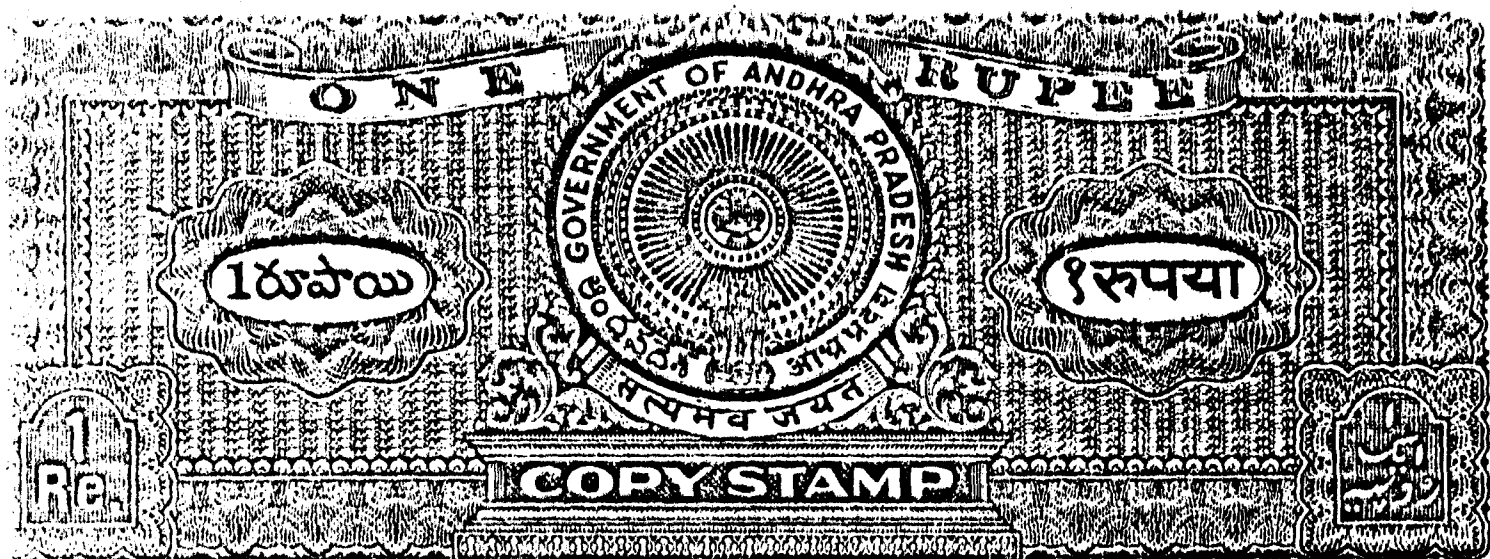
2. Written statement filed by V. Lakshman and V. Yadagiri
sons of Late Ramaiah.

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ORDER:

This is a case filed by the petitioners Sri V. Malliah
son of Late Ramaiah and V. Durgamma wife of Late Ramaiah through
their counsel, Under Sec. 40(2) of the Tenancy Act for declaring
them as the absolute holders of the Tenancy Rights held by Late
V. Ramaiah.

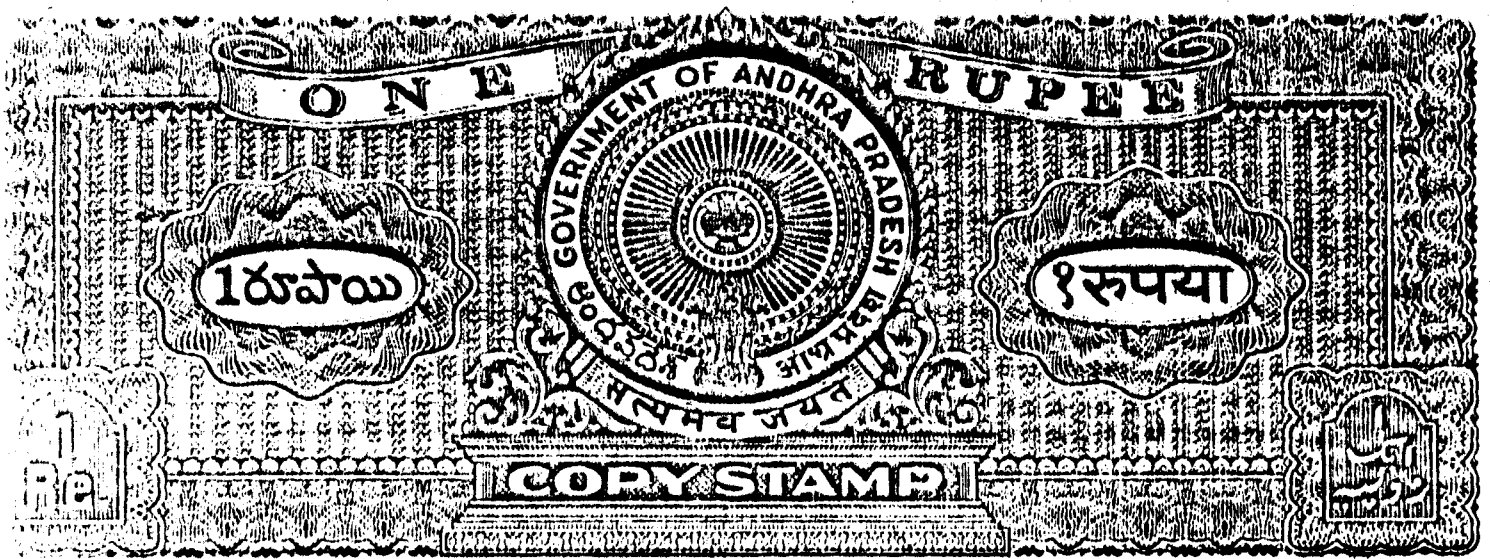
This case coming up for regular hearing in the presence
of learned Counsels for the petitioners and the respondents, on
perusal of the connected records, the following orders are passed
on the material facts and arguments of the respective Counsels.



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The facts in brief are that Sri Varikuppala Ramaiah was the protected tenant over Survey No.37, measuring 1 acre 37 Guntas situated at Begumpet village. The relevant records have been perused and found that Varikuppala Ramaiah is the protected tenant over Survey No.37 of Begumpet village. After the death of Ramaiah, the succession was granted in favour of Sri V.Narasanna, V.Laxman and V.Yadagiri as legal heirs, by the then Tahsildar, Vallabnagar Taluk, vide proceedings, No.D.Dis.No.B/3331/84, dt. 21.12.81. Subsequently, the petitioners Sri V. Malliah and Smt V.Durgamma approached the Mandal Revenue Officer, Balanagar Mandal stating that Late V.Ramaiah had two wives namely Durgamma and Narasanna and requested to grant succession in their favour being Durgamma is the first wife and Malliah is the son of Late Ramaiah through the first wife Smt Durgamma. The request of these petitioners was considered by the Mandal Revenue Officer, Balanagar Mandal and the Mandal Revenue Officer granted succession keeping the petitioner namely V.Malliah and Smt Durgamma as half share holders in the rights of protected tenancy and other half share was ordered to be held by Sri V.Laxman and V.Yadagiri who are the sons of Late Ramaiah through the second wife Smt Narasanna vide proceedings No.B/129/92, dt.21.3.92.

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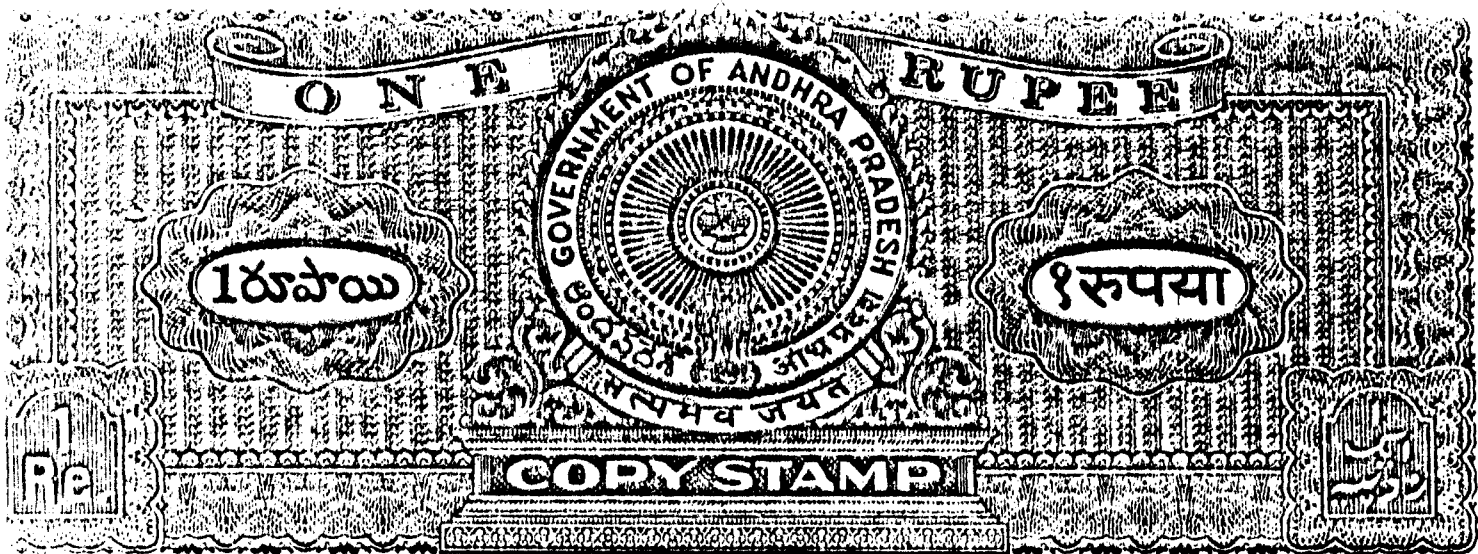


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The learned counsel for the petitioners argued that as a matter of fact the rights of protected tenancy should have been granted only in favour of Sri V.Malliah and Smt Durgamma being the legal descendants of Late Ramiah and further he relied upon the release-Deed executed by Sri V.Laxman and Sri V.Yadagiri who held half share, in favour of the petitioners V.Malliah and Smt V.Durgamma, relinquishing their half share in favour of the petitioners and hence the petitioners are alone the protected tenants by virtue of inheritance and survivorship and succession granted by Mandal Revenue Officer on 21-03-1992. Also since because Sri V.Laxman and Sri V.Yadagiri have voluntarily bequathed and released their half share of Protected tenancy rights in favour of the petitioners and requested to declare the petitioners as the sole protected tenants over Survey No.37 of Pegumpet village and record their names as the protected tenant village and record their names as the protected tenant for the entire Survey No.37 measuring 1 acres 37 guntas.

The learned counsel for the respondents filed written statement almost agreeing with the claim of the petitioners and

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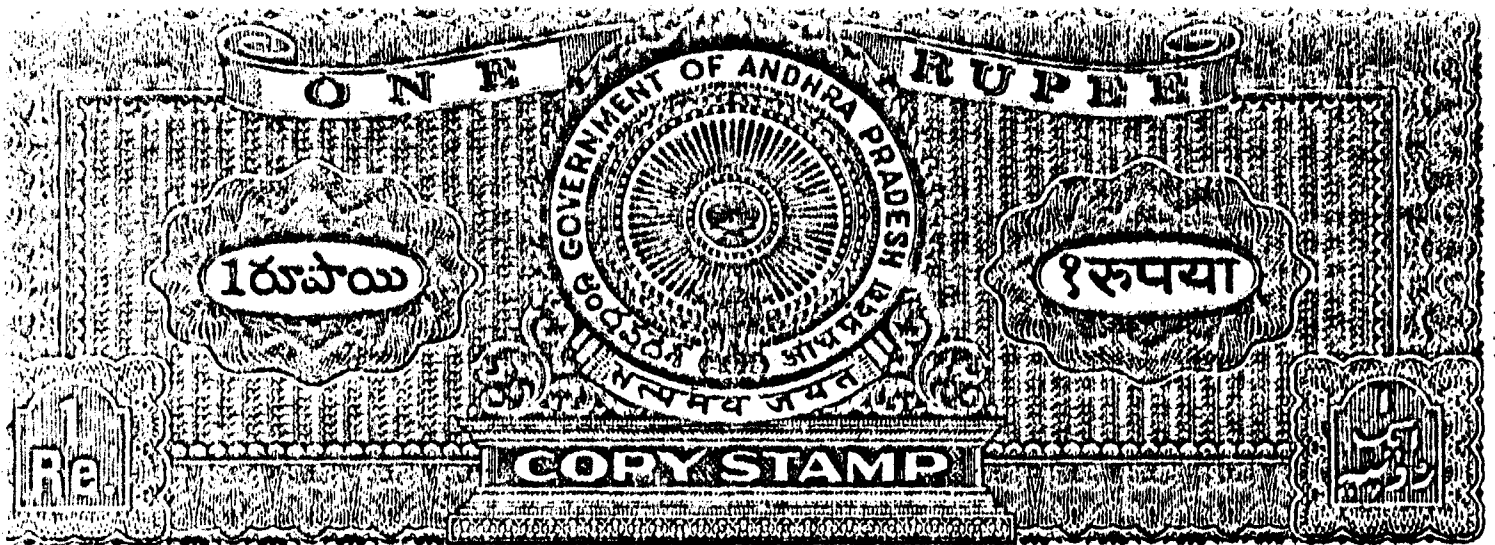
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admitted the release deed to have executed by them on 23.11.1992 in favour of Varikuppula Durgamma wife of late Ramaiah and Varikuppula Malliah son of late Ramaiah.

According to Section 40(2) of the Tenancy Act, the rights of protected tenancy devolve inter-Sec.Sub-division upon the legal heirs specifically sons and daughters. In the instant case Smt Durgamma is the first wife of late Protected Tenant V.Ramaiah who is one of the petitioners herein and V.Malliah is the son of Late V.Ramaiah, through the first wife Smt V.Durgamma. While, the Respondents Sri V.Laxman and Sri V.Yadagiri admit the release of their half share in favour of the petitioners Sri V.Malliah and Smt V.Durgamma, there shall not be any dispute if the release of half share is accepted moreso, there are no third parties interested in this case in regard to the tenancy rights, since the second wife of Late V.Ramaiah also sided. The persons succeeded to the rights held by late V.Ramaiah are the petitioners and respondents herein.

I am satisfied with the release made by the respondents Sri V.Laxman and V.Yadagiri in respect of their half

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share in favour of Sri V. Mallaiah and Smt V. Durgamma and the deposition of Sri V. Laxman and Sri V. Yadagiri have been recorded. Hence, the petitioners Sri Varikupulla Mallaiah son of late Ramaiah and Smt Varikuppula Durgamma the petitioners herein are declared as the absolute successors to the rights of the protected tenancy over Survey No. 37 of Begunpet village. The names of the petitioners shall be recorded as the Protected tenants in the final protected tenancy Register with necessary incorporation as protected tenants.

Pronounced on this the 9th March, 1993.

Sd/-
Mandal Revenue Officer,
Balanagar Mandal, R. R. Dist.

To
1. Sri V. Mallaiah,
S/o Late V. Ramaiah
2. Smt V. Durgamma, W/o
Late V. Ramaiah
1. Sri V. Laxman,
S/o Late V. Ramaiah
2. Sri V. Yadagiri,
S/o late V. Ramaiah

through their counsel.
through their counsel.

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[Handwritten Signature]
Mandal Revenue Officer,
BALANAGAR Mandal,
Ranga Reddy District.