

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA
PRADESH

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THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No. 41138 of 2015

BETWEEN

Nimmala Prakash and others

... PETITIONERS

AND

The State of Telangana, rep. by its Principal Secretary and others

...RESPONDENTS

Date of Order pronounced: 18.12.2015

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ORDER:-

Heard.

2. An order of mutation was passed by the second respondent vide proceedings No.B/496/15 dated 01.10.2015. Petitioners are aggrieved thereby on the ground that they were not given any notice. However, petitioners themselves have filed Ex.P2, which is a notice issued by the second respondent under Form 8 r/w Rule 19(1) of the A.P. Rights in Land and Pattadar Passbooks Act, 1971 dated 31.07.2015, which *prima facie* show copy marked to the petitioners. Hence, the contention of the petitioners cannot be accepted. However, if petitioners are aggrieved by non-following of the procedure by the second respondent, they can always approach the appellate authority.

3. Learned counsel for the petitioners also state that they have already filed a suit O.S.No.1476 of 2014 before VIII Senior Civil Judge, Ranga Reddy District, and the said suit is pending.

4. Petitioners are at liberty to bring the aforesaid fact also to the notice of the appellate authority and seek appropriate relief. I find no reason to entertain the writ petition directly against the order of mutation passed by the second respondent.

With the liberty aforesaid, writ petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

December 18, 2015
LMV