

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.26640 OF 2014

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ORDER:

This petition is filed for a writ of *Mandamus* declaring the action of the respondents in making correction or mutation of entries in the Revenue records, namely Pahanis, in the name of the 3rd respondents herein in respect of land to an extent of 0.37 guntas in Sy.No.1285, situated at Jagtial Revenue Village, M.R.Jagtial, Karimnagar District, as illegal and arbitrary.

The case of the petitioner is that he was allotted agricultural land to an extent of 0.37 guntas in Survey No.1285, situated at Jagtial Revenue Village, M.R.Jagtial, Karimnagar District in pursuance to the partition decree dated 03.12.1985 in OS.No.29 of 1983 and petitioner's name was also recorded as pattedar, owner and possessor in the pahanis for the years 1995-1996 to 2010-2011. The case of the petitioner is that the respondents 1 and 2 are trying to mutate the name of the 3rd respondent in the Revenue records in respect of the subject land on the representation of the 3rd respondent wherein it is stated that she purchased the subject land from the petitioner in the year 1995. Aggrieved by the same, present writ petition is filed apprehending that the respondents 1 and 2 are trying to mutate the name of the 3rd respondent in the revenue records without conducting any enquiry.

Now counter is filed by the 3rd respondent stating that the 3rd respondent purchased the subject land from the petitioner through simple sale deed dated 01.05.1995 and her name was recorded in the Pahanis of the year 1994-1995 and that no cause of action arose for filing the writ petition.

Heard both sides.

The prayer in the writ petition goes to show that the petitioner is seeking a direction to the respondents not to make any correction or mutation in the revenue records. The case of the 3rd respondent is that her name is entered in the 'Pahani' of the year 1994-1995. When the name of the 3rd respondent was entered already in the year 1994-1995, question of again the respondents considering the representation of the petitioner does not arise. However, no *Mandamus* can be issued directing the authorities not to perform their statutory functions. If any order is passed by the respondent authorities in pursuance to the application filed by the petitioner, it is open for the petitioner to challenge the same.

Accordingly, the writ petition is dismissed. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

12.04.2016
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