

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.1892 OF 2016

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

The petitioner is aggrieved by the rejection of his request for mutation of his name in the revenue records with regard to land in Survey No.86 admeasuring Ac.1.13 guntas in Kotwalguda Village, Shamshabad Mandal, Ranga Reddy District. Earlier, as the petitioner's request for mutation of his name was rejected by the Tashildar, Shamshabad Mandal, Ranga Reddy District, the 4th respondent, under the order dated 21.10.2014, he moved W.P.No.11800 of 2015 before this Court questioning the said order. During the hearing of the said Writ Petition, the petitioner sought liberty to approach the revenue authorities against the said impugned order and accordingly, this Court disposed of the said Writ Petition by order dated 22.04.2015 granting liberty to the petitioner. The petitioner thereafter approached the District Collector, Ranga Reddy District, the 2nd respondent, who called for a report from the Revenue Divisional Officer, Rajendranagar, Chevella Division, Ranga Reddy District, the 3rd respondent. After perusal of the report, the 2nd respondent by his order dated 22.12.2015, directed the 4th respondent to reconsider the petitioner's request afresh. Thereafter, the 4th respondent has passed an identical order which is impugned in the present Writ Petition.

Learned counsel for the petitioner states that no opportunity was given to the petitioner to establish his case and on identical ground, the request of the petitioner was once again rejected in spite of the report of the 3rd respondent and the directions of the 2nd respondent.

This Court finds no reason to entertain this Writ Petition directly since the petitioner has efficacious alternative remedy of questioning the impugned order before the appellate authority.

It is not in dispute that the appellate authority can examine the revenue records afresh and take into consideration the request of the petitioner. It is also evident from the impugned order that merely because Form X issued by the Land Reforms Tribunal was not available with the 4th respondent, the petitioner's request is not considered. Hence, if the petitioner files an appeal, there is no reason to doubt that the appellate authority would not examine the matter in detail by summoning the records relating to the land reforms to verify Form X issued by the Land Reforms Tribunal. The petitioner is also at liberty to seek personal hearing to establish his case.

The Writ Petition is accordingly disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V.AFZULPURKAR, J

25.01.2016

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