

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 43943 of 2016

Order:

Heard learned counsel for the petitioner and the learned Government Pleader for respondents 1 and 2. In view of disposal of the Writ Petition in the following terms, no notice is issued to the respondents 3 and 4.

The petitioner states that he is the lawful owner and possessor of the land of an extent of Ac.3.18 ½ gts., in Survey No.453/AA1 and Ac.1.18 ½ gts., in Survey No.453/AA2, totally admeasuring Ac.4.37 gts., in Eduluru village, Kattangoor Mandal, Nalgonda district, having purchased the same from one N. Vijay Kumar for valuable consideration under a registered sale deed dated 04.05.2016. It is the case of the petitioner that the third respondent attested the said registered sale deed as a witness. The petitioner claims that he has been in possession and enjoyment of the same since the date of purchase. After purchase of the land as aforesaid the petitioner submitted an application to the second respondent for effecting the mutation of the land in his favour and the second respondent issued an endorsement on 26.10.2016 stating that in view of the order in I.A.No.207 of 2013 in O.S.No.95 of 2006 passed by the learned Junior Civil Judge, Nakrekal the mutation cannot be effected. The grievance of the petitioner is that the said endorsement was made without hearing him or issuing any notice to the affected parties.

When an application for mutation is made, the second respondent is supposed to conduct an enquiry and pass a reasoned order. In the instant case it appears that no such action was taken by the second respondent.

In the circumstances, the impugned endorsement dated 26.10.2016 is set aside and the matter is remanded to the second respondent for conducting an enquiry on the application filed by the petitioner for mutation of the revenue records pursuant to the purchase of the property on 04.05.2016 and pass appropriate orders in accordance with law within a period of three (3) months from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, allowed to the extent indicated above. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

Date: 19.12.2016
Nsr

A. RAMALINGESWARA RAO, J

