

THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT PETITION No.25485 OF 2005

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking to declare the action of the respondents in not mutating the names of the petitioners as per Government's Memo No.28908/JA1/2004-1 dated 05.11.2004 as illegal, arbitrary and consequently to direct the respondents to mutate the names of the petitioners in respect of their shares i.e. Acs.29-17 guntas and Acs.19-24 guntas in survey Nos.163/2 and 163/5 at Hyder Nagar, Bala Nagar Mandal, Ranga Reddy District (for short 'subject lands').

2. Heard both sides and perused the material on record.

3. Learned counsel for the petitioners mainly submits that the grievance of the petitioners in this writ petition is that though the petitioners have submitted a representation on 05.01.2005 to the respondents seeking to mutate their names in respect of the subject lands, no action is taken so far by the respondents.

4. Learned AGP would submit that the application submitted by the petitioners is not as per proforma Form-IA prescribed under Rule 5 (1) (b) of The Andhra Pradesh Rights in Land and Pattadar Pass Books Rules, 1989, (for short 'the Rules') and no documents were annexed with the said representation.

5. In view of the submissions made, the Writ Petition is disposed of granting liberty to the petitioners to approach the competent authority by filing a fresh application, annexing

necessary documents, as per the provision of Rule 5 (1) (b) of the Rules and if such an application is filed, the respondents shall consider the same for mutation of the subject lands in favour of the petitioners, as per law.

6. Miscellaneous petitions pending in this petition, if any, shall stand closed. There shall be no order as to costs.

M.GANGA RAO, J

11th December, 2017
sur

