

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.16304 of 2017

ORDER:

This writ petition is filed seeking a writ of mandamus declaring the action of the respondents 2 & 3 in not mutating the name of the 2nd petitioner in respect of the property admeasuring 1699 sq.yards bearing Door No.10-27-14, Sub-Division No.21/22, Sy.No.77A, Block No.9, Waltair Ward, Visakhapatnam, in the light of the oral gift made by the first petitioner in his favour, in spite of his representations dated 13.05.2016 and 16.02.2017 and the application dated 03.04.2017 in Form 2 of Schedule F of Greater Hyderabad Municipal Corporation Act, 1955 as arbitrary and illegal and consequently, to direct the respondents 2 and 3 to mutate the name of the 2nd petitioner in respect of the aforesaid property.

It is the case of the petitioners that the first petitioner purchased the property admeasuring 1699 sq.yards bearing Door No.10-27-14, Sub-Division No.21/22, Sy.No.77A, Block No.9, Waltair Ward, Visakhapatnam through registered sale deed dated 02.07.1981 bearing document NO.4810/1981. Thereafter the first petitioner gifted the said property orally (Hiba) in favour of the second petitioner, who is none other than his brother on 31.01.1999. Now it is the grievance of the petitioners that even though they made representations dated 13.05.2016 and 16.02.2017 to the respondents 2 to 4 seeking mutation of the said property in favour of second petitioner basing on the oral gift deed followed by application/notice dated 03.04.2017, so far no action has been taken.

Heard and perused the material available on record.

Considering the facts and circumstances of the case, the respondents 2 & 3 are directed to consider the representations of the petitioners dated 13.05.2016 and 16.02.2017 and pass orders in accordance with law as expeditiously as possible, preferably, within a period of three months from the date of receipt of a copy of this order.

The writ petition is disposed of accordingly. No costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

12.06.2017
Tsr

RAJA ELANGO,J



