

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.377 of 2012

ORDER:

This Writ petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking to declare the action of the respondent in rejecting the request of the petitioners to mutate their names in the municipal records insofar as plot Nos.40 and 47 in Sy.No.14, Katedhan Shivrampally, Ranga Reddy District, vide letter dated 02.04.2011, as illegal and arbitrary and consequently, direct the respondent to mutate the names of the petitioners in the municipal records.

Heard and perused the material available on record.

The case of the petitioners is that their mother was the absolute owner and possessor of the premises in plot Nos.40 and 47 in Sy.No.14 of Katedhan Shivrampally, Ranga Reddy District, admeasuring 400 sq.yards, and she executed registered gift deeds in their favour for 200 square yards each, and that the petitioners made applications to the respondent to mutate their names in the municipal records. But, the respondent has rejected the same stating that the title of the property is a matter pertaining to Civil Courts/ Revenue Courts jurisdiction. Hence, the present writ petition.

Learned Standing Counsel for the respondent Corporation submitted that the property was not registered in the name of the mother of the petitioners and that one M.Ramesh Yada and K. Hari Kishanji filed applications for allotment of the subject plots in their names and the mother of the petitioners also filed an application stating that the above persons trespassed into her plots, and therefore, the

respondent rejected the applications for mutation since the title of the property is in dispute.

Considering the facts and circumstances of the case, this Court is inclined to pass the following order:

If the petitioners have any grievance over the order passed by the respondent, they are at liberty to approach the appropriate forum or to approach the Civil Court to establish their title over the subject property.

Accordingly, the Writ petition is disposed of. No order as to costs. Miscellaneous petitions pending if any, shall stand closed.

February 20, 2017.
KTL

RAJA ELANGO, J



