

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.24237 of 2017

ORDER:

This Writ Petition is filed by the petitioner under Article 226 of the Constitution of India seeking to direct the 5th respondent to consider the petitioner's representations, dated 01.11.2016 and 29.11.2016, for mutation of the petitioner's name in Municipality records in respect of the property bearing H.No.3-2-263/C in Survey No.212 of Kothapeta Village, admeasuring to an extent of 100 square yards with construction of AC Sheets with ground floor of 500 square feet in Kothapet (V), Kagaj Nagar Mandal, Komarambheem District, and consequently direct the 5th respondent to pass orders on the petitioner's representations.

2. Heard the learned counsel for both the parties and perused the material available on record. With the consent of learned counsel for both the parties, the writ petition is taken up for disposal at the stage of admission.

3. The case of the petitioner is that the petitioner is the absolute owner and possessor of the property bearing H.No.3-2-263/C in Survey No.212 of Kothapeta Village, admeasuring to an extent of 100 square yards with construction of AC Sheets with ground floor of 500 square feet in Kothapet (V), Kagaj Nagar Mandal, Komaram Bheem Asifabad District, within specified boundaries, which was acquired by the petitioner through notarized Gift Deed, dated 20.11.2011, from his mother, which was subsequently registered on 21.03.2017 by executing separate Gift Deed and that the name of the petitioner's mother was earlier

mutated in the records of municipality and in other department records such as water, electricity departments. Since the petitioner is the absolute owner and possessor of the above stated property, the petitioner has submitted representations, dated 01.11.2016 and 29.11.2016, to the 5th respondent to mutate his name in the municipal records in the place of his mother for the purpose of payment of tax and assessment of tax, but so far, the 5th respondent has not taken any action and the same are pending.

4. Considering the circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, this Court is of the view that the writ petition can be disposed of with the following direction:

The 5th respondent is directed to consider the representations, dated 01.11.2016 and 29.11.2016, made by the petitioner, and pass appropriate orders, as expeditiously as possible, in accordance with law, more preferably within a period of eight (8) weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner.

5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, Miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO,J

Date: 24th July, 2017

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