

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.37179 of 2017

ORDER:

In this writ petition, the submission and the grievance of the writ petitioner is that the writ petitioner purchased the subject property under a regular registered Sale Deed bearing No.398/17, dated 27.01.2017, and that, thereafter, the petitioner made an application for mutation of the purchased property in his name in the municipal records, but despite such request, no action has been taken by the 2nd respondent Municipality.

2. I have heard the submissions of Sri *Venkata Raghu Mannepalli*, learned counsel appearing for the petitioner, learned Government Pleader for Municipal Administration and Urban Development appearing for the 1st respondent, Sri *N. Praveen Kumar*, learned Standing Counsel appearing for the 2nd respondent, learned Government Pleader for Stamps and Registration appearing for the 3rd respondent and of the learned Government Pleader for Home appearing for the 4th respondent. I have perused the material record.

3. Learned counsel for the petitioner would submit that if the application for mutation is considered and disposed of by passing an appropriate order, the grievance of the writ petitioner would stand redressed.

4. Learned Standing Counsel appearing for the 2nd respondent brings to the notice of the Court that in the Title Deed, it is mentioned that the property sold was a vacant site without any constructions thereon, but mutation is being sought in respect of a property bearing

H.No.1-4-92/B/A/1 and that, therefore, the petitioner is already orally informed that the request for mutation cannot be entertained.

5. In the considered view of this Court, if the application of the petitioner is not entertainable, the authority concerned ought to have passed an order and communicated the same to the petitioner. However, the same was not done.

6. In that view of the matter, the Writ Petition is disposed of directing the 2nd respondent Municipality to consider and dispose of the application for mutation of the petitioner in strict accordance with the procedure established by law within a period of three (03) weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner within a week thereafter.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE M. SEETHARAMA MURTI

Date: 16th November, 2017

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194

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