

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.43478 OF 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking the following relief:

“... to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondent No.2 in considering the representation dt. 29-11-2017 and dt. 18-09-2017 of the petitioners for recording /entering the petitioners' name in the Municipal Records in the place of 1st petitioner's mother for the property bearing H.No.12-330 to 12-341, situated at Mancherial Town and Mandal, Mancherial District as illegal, arbitrary, violation of principles of natural justice and consequently direct the 2nd respondent to record the name of the 2nd petitioner in the Municipal records by considering the representation of the petitioners 29-11-2017 and 18-09-2017 and pass such other order or orders appropriate in the case ...”

(Reproduced verbatim)

2. Learned counsel for the petitioners would submit that the name of the mother of petitioner No.1 i.e., Smt. Rahemunisa Begum @ Goribee, W/o. Syed Meer, was entered in the municipal records in respect of the subject property and that she expired on 29.01.2013 and that despite several requests, the authorities failed to rectify the records by changing the name of the owner of the subject property as 'Syed Afzal Ahmed', petitioner No.1 herein, and hence, the Writ Petition is filed.

3. Learned counsel for the petitioners would also submit that if a direction is given to respondent No.2 Municipality to consider and dispose of the representation, dated 29.11.2017, of the

petitioners, submitted to the Commissioner of respondent No.2 Municipality on 01.12.2017, ends of justice would be met.

4. Learned Standing Counsel appearing for respondent No.2 endorses the said submission.

5. Having regard to the facts and submissions, the Writ Petition is disposed of directing respondent No.2 Municipality to consider and dispose of the representation, dated 29.11.2017, of the petitioners, received by it on 01.12.2017, in strict accordance with the procedure established by law, however, within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken thereon to the petitioners within a week thereafter.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

There shall be no order as to costs.

M.SEETHARAMA MURTI, J

December 26, 2017
MD