THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.10433 OF 2018

Dated:02.04.2018

Between:

Malik Moinuddin, S/o. Khatalsab,
Aged about 45 years, Occ: Agriculture,
R/o. H.No.3-41/1, Hindupur Village,
Krishna Mandal, Mahaboobnagar District .. Petitioner

And

The State of Telangana, rep., by its
Principal Secretary (Department of
Revenue), Telangana Secretariat,
Hyderabad and others .. Respondents

The Court made the following:

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ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue appearing for respondents 1 to 3.

2. On an application submitted by the petitioner to the Sub-Collector, Narayanpet, Mahabubnagar District, to register death of his father, by name, Khatalsab, the Sub-Collector issued proceedings dated 09.06.2017 directing the Panchayat Secretary to enter the date of death of the father of the petitioner, by name, Khatalsab as 21.07.1988 in the Death Register and in the relevant records. It appears, the unofficial respondent has raised objection in reflecting the name of the father of the petitioner in the Death Register. On the application filed by the unofficial respondent, the Sub-Collector called for a report from the Tahsildar, Krishna Mandal, Mahabubnagar District, and to submit the same to him. It is also relevant to note at this stage that petitioner also submitted an application to the Sub-Collector to mutate the name of the petitioner in the revenue records concerning the subject property and the same is pending. This Writ Petition is filed challenging the letter of the Tahsildar, dated 17.11.2017.

3. As seen from the content of the letter dated 17.11.2017, the Tahsildar reported the ground position to the Sub-Collector. Therefore, it is for the Sub-Collector to take a decision on the report submitted by the Tahsildar and to take further decision with reference to the objection/application of unofficial respondent and the claim of the petitioner for mutation of his name in the revenue

records. The Sub-Collector is the competent authority and the matter is pending before him and admittedly he has not taken any decision so far.

4. Learned counsel for the petitioner apprehends that the Sub-Collector would pass orders based on the report of the Tahsildar.

5. Based on the apprehension that merely a decision is to be made and the Sub-Collector would accept the report of the Tahsildar, no relief as sought for by the petitioner can be granted. It is not a case that the petitioner is remediless, if a decision is made by the Sub-Collector. The Court is not inclined to entertain the Writ Petition, based on the internal correspondence between the Tahsildar and the Sub-Collector.

6. The Writ Petition is accordingly dismissed leaving it open to the petitioner to work out the remedies as available to him in law. There shall be no order as to costs.

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

P. NAVEEN RAO, J

Date:02.04.2018
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