

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.15326 OF 2018

DATED : 27.04.2018

Between :

Bheem Reddy S/o.Anantha Reddy,
Age : 65 yrs, Occu : Agriculture,
R/o.Aganoor Village, Yalal Mandal,
Presently Vikarabad District (R.R.District)

Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Revenue Department,
Secretariat, Hyderabad & others.

Respondents



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.15326 of 2018****ORDER :**

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

2. Petitioner claims to be the owner and in possession of Ac.0.18 guntas of land in Sy.No.229, Ac.7.09 guntas in Sy.No.231 and Ac.1.27 guntas in Sy.No.242 of Aganoor Village Yalal Mandal, Vikarabad District. It appears the 3rd respondent instituted O.S.No.20 of 2006 on the file of Senior Civil Judge at Vikarabad, Ranga Reddy District, to grant decree of specific performance of agreement of sale and the suit was decreed. Aggrieved thereby petitioner preferred A.S.No.40 of 2013 which is pending on the file of Additional District Judge, Vikarabad, Ranga Reddy District. Based on the decree granted in his favour, the 3rd respondent filed application to mutate his name in the revenue records. Taking note of the request made, a notice was issued to petitioner. Petitioner claims to have filed his objections in response to the said notice. It appears, so far no orders are passed.

3. Apprehending that the Tahsildar, is going to accede to the request of 3rd respondent and amend the record of rights, this writ petition is filed.

4. As briefly noted above, suit is decreed in favour of 3rd respondent and application is filed to mutate his name. So far no decision is made by the Tahsildar on the application filed by

3rd respondent. Even before a decision is made, petitioner filed this writ petition.

5. Since no decision is made by the Tahsildar and admittedly notice was issued to petitioner and petitioner filed his objections, this Court is not inclined to entertain the writ petition. It is pre-emptive litigation to prevent the authority from taking appropriate decision, as warranted by law. It cannot be said that Tahsildar is not competent and petitioner is remediless, if a decision is made. Thus, the writ petition is pre-mature and is liable to be dismissed.

6. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions pending if any, in this writ petition shall stand closed.

27th April, 2018
Rds

P.NAVEEN RAO,J

