

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.40158 of 2018

09.11.2018

Between:

Paras Sunil Kumar and another

..Petitioners

and

State of Telangana,
represented by its Commissioner,
Consumer Affairs Food and Civil Supplies,
Civil Supplies Bhavan, Hyderabad and others

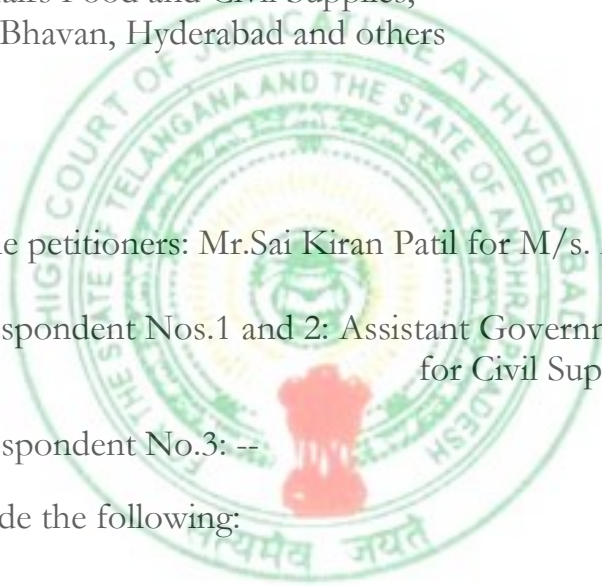
..Respondents

Counsel for the petitioners: Mr.Sai Kiran Patil for M/s. Advocate Hut

Counsel for respondent Nos.1 and 2: Assistant Government Pleader
for Civil Supplies

Counsel for respondent No.3: --

The Court made the following:



ORDER: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This writ petition is filed for issue of *certiorari* to quash order, dated 29.02.2008, in C.C.No.27 of 2007 of respondent No.2 *viz.*, the District Consumer Disputes Redressal Forum at Nizamabad.

2. After hearing the learned counsel for the parties, we are of the opinion that this writ petition is liable to be dismissed only on the ground of laches as the petitioners questioned the order of respondent No.2 directing Nizamabad Municipal Council to mutate the name of respondent No.3 in their register ten years after passing of the said order. At any rate, mere mutation of the name of respondent No.3 would not create title in him. As per the petitioners' own averments, O.S.No.40 of 2018 filed by respondent No.3 for eviction of the petitioners is pending in the Court of the Junior Civil Judge, Kamareddy. The right of the petitioners to resist the said suit would in no way be affected by the mutation done in pursuance of the impugned order in C.C.No.27 of 2017 as the petitioners are not parties to the said case. In addition to the petitioners' right to resist the eviction suit, if they are so

advised, they are even entitled to file a substantive suit for declaration of their title and other allied reliefs against respondent No.3, notwithstanding the impugned order passed by respondent No.2.

3. Subject to the observations made above, the Writ Petition is dismissed.

C.V.NAGARJUNA REDDY, J

T.AMARNATH GOUD, J

09th November, 2018
GHN

