

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.5178 of 2019

ORDER:

The prayer of the petitioner in this case reads as under:-

"For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus directing the respondents to take action on the objection petition filed by the petitioner on 15.02.2019 before the respondents authority in respect of the half share of the land of the petitioner's late husband in Sy.No.118/E an extent of Ac.1.35 guntas of Nallavelli Village, Nagarkurnool Mandal and District, Telangana State and to pass such other order or orders as this Honourable Court may deem fit and proper in the facts and circumstances of the case."

Perusal of the representation dated 15.02.2019 made by the petitioner to the District Collector, Nagarkurnool District, reflects that the petitioner admitted to the fact that a third party, who is not even impleaded as a party to this Writ Petition, already claimed rights in relation to the land in question but she now seeks the revenue authorities to not only handover her claimed half share in her husband's ancestral property but also cancel a registered sale deed apart from not carrying out any mutation in the name of the son of her aunt, presumably the beneficiary under the registered sale deed.

This Court is at a loss to understand as to how the petitioner expects the revenue authorities to consider the aforesaid representation and grant her relief. It is not within the domain of the revenue authorities to either determine the share, if any, of the petitioner in her husband's ancestral property or cancel a registered sale deed.

In so far as the issue of mutation is concerned, it is not brought out from the representation of the petitioner as to whether she has already informed the Tahsildar concerned of her claimed interest in the subject property along with the basis thereof and to put her on notice in the event any third party seeks mutation in the revenue records in relation to the land claimed by her. Without taking these steps, the petitioner cannot straightaway seek a writ of *Mandamus* directing the revenue authorities to take action upon her representation dated 15.02.2019.

The Writ Petition is utterly misconceived and is accordingly dismissed.

Pending Miscellaneous Petitions, if any, shall also stand dismissed. No order as to costs.

13th March, 2019
dr

JUSTICE SANJAY KUMAR