

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 13066 of 2019

Date : 28.6.2019

Between:

Pasula Surender Reddy S/o Late Venkat Reddy
aged about 35 years Occ Agriculture R/o Veltoor Village
Uppununthala Mandal erst while in Mahaboob nagar Dist at
Present in Nagarkurnool Dist and others

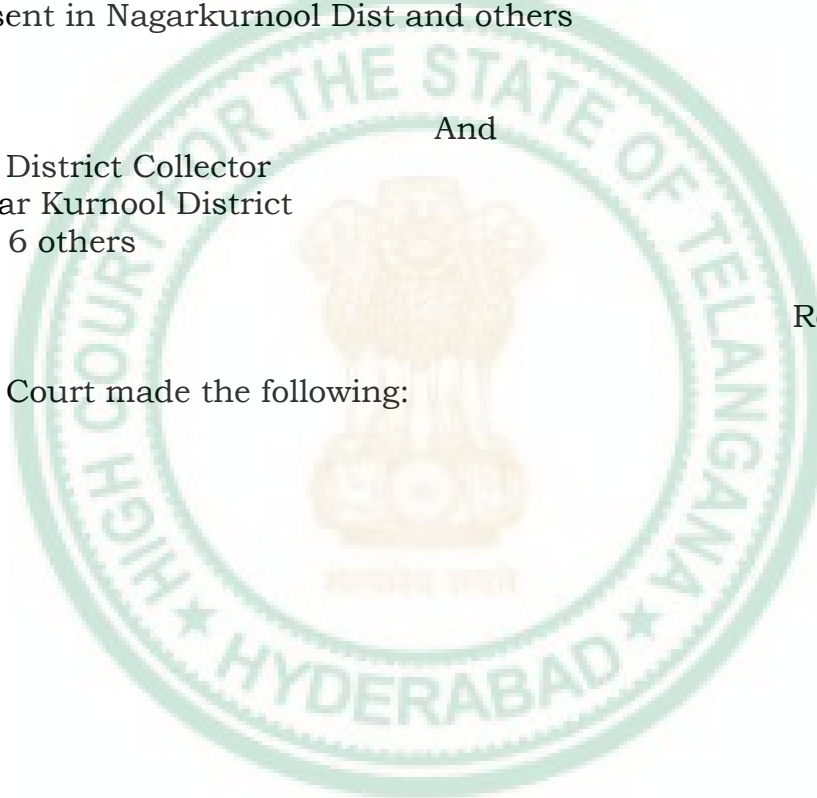
Petitioner

And

The District Collector
Nagar Kurnool District
and 6 others

Respondents

The Court made the following:



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ORAL ORDER:

Heard learned counsel for petitioners and learned Government Pleader for Revenue.

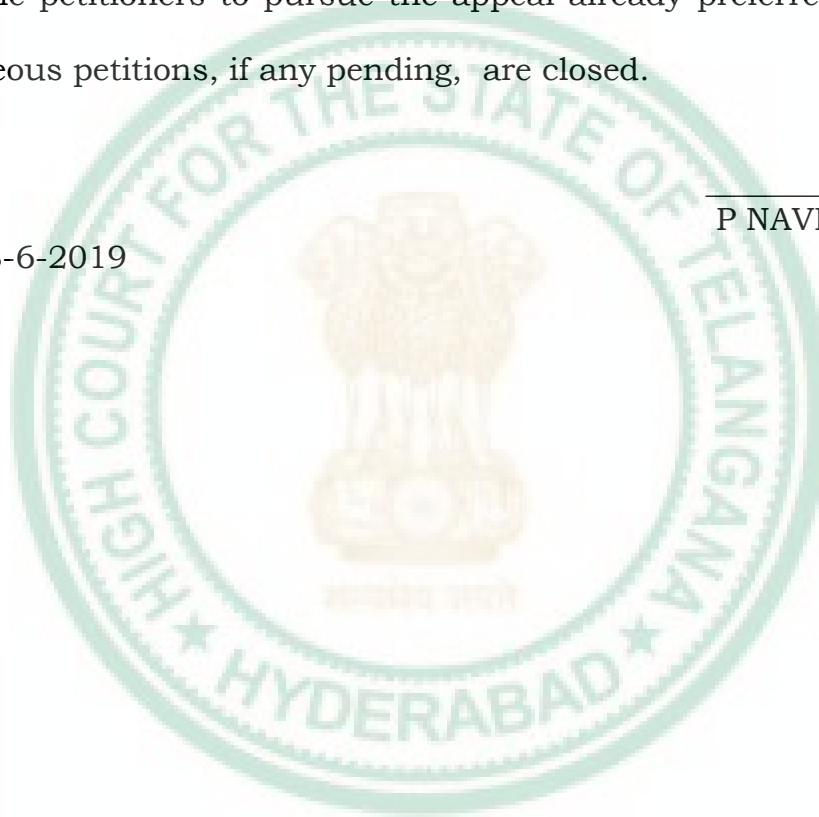
2. According to petitioners, their grand father Sri Pasula Jaggaiah was absolute owner and possessor of land admeasuring Ac. 7.00 guntas, Veltoor village, Uppununthala mandal, Mahaboobnagar district. The affidavit filed in support of the writ petition, deals with the litigation and the rival claims on the subject property. Having regard to the prayer sought in the writ petition, the Court is not dealing with various other aspects narrated in the affidavit. Suffice to note, on 11.10.2018 Tahsildar issued notice on a claim for mutation made by the unofficial respondents. Petitioners appear to have responded to the said notice. It appears, ignoring the objection filed by petitioners, Tahsildar accepted the request for mutation and mutated the names of unofficial respondents in the revenue records. Aggrieved thereby, petitioners preferred appeal on 12.6.2019. Consequent thereon, Revenue Divisional Officer issued notice dated 15.6.2019, at that stage, this writ petition is filed with a prayer to set aside the notice issued by Tahsildar on 11.10.2018.

3. Whenever an application is made for mutation, as per Telangana Rights in Land and Pattadar Pass Books Act, 1971, Tahsildar is competent to deal with such application and is entitled to call for objections on the claim for mutation. Therefore, impugned notice cannot

be said as illegal, without jurisdiction and competence of the Tahsildar. Further, matter does not stand at the stage of issuance of notice by Tahsildar, but culminated in order passed in favour of unofficial respondents and thereafter petitioners preferred appeal and without prosecuting the appeal, petitioners filed this writ petition challenging the notice dated 11.10.2018. Hence, this Court is not inclined to entertain the writ petition. Accordingly, the writ petition is dismissed leaving it open to the petitioners to pursue the appeal already preferred by them. Miscellaneous petitions, if any pending, are closed.

DATE: 28-6-2019
TVK

P NAVEEN RAO,J



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