

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.14134 OF 2019

Date: 11.07.2019

Between:

Chanda Saritha, w/o. Srinivasa Reddy,
Aged about 33 years, occu: Housewife,
r/o. Srirangapuram, Kodada town & Mandal,
Suryapet/Nalgonda district.

.....Petitioner

and

The State of Telangana, rep.by its Prl.Secretary,
Revenue Department, Secretariat Buildings,
Hyderabad and others.

.....Respondents



The Court made the following:

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ORDER:

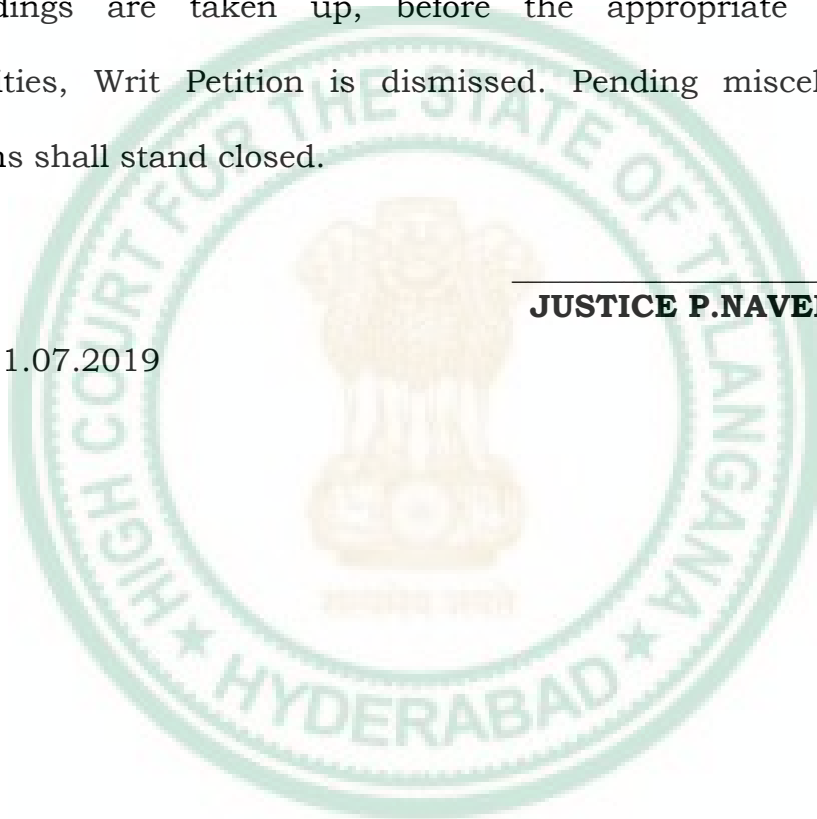
Petitioner claims that the lands mentioned in paragraph-3 of the affidavit filed in support of Writ Petition are succeeded by her husband. Therefore, her daughter is entitled to share in the said property. Husband of the petitioner is neglecting her and living in Jamaica with another lady and, therefore, she has no source of livelihood. Petitioner now apprehends that based on General Power of Attorney executed by her husband in favour of her mother-in-law, her mother-in-law is gifting the properties to others and trying to mutate their names in the revenue records. Having come to know these of developments, representations were made to the Tahsildar opposing entertaining such request. Alleging inaction on the said representations, this Writ Petition is filed.

2. As can be seen from the averments in paragraphs-4 and 5 of the affidavit filed in support of Writ Petition, two suits are pending, in which petitioner is defendant. Suit is filed by the mother-in-law and her three daughters. Apparently, civil dispute is pending between the parties. Further, as of now, no orders are passed mutating the names of persons against whom grievance is ventilated before the Tahsildar. Even before mutation proceedings are taken up and appropriate decision is made, petitioner cannot, on apprehension, institute this Writ Petition. Tahsildar is competent to receive any request for mutation and once such request is made, he is entitled to process the application for mutation and take appropriate decision. There is no provision

envisaged in the Telangana Record of Rights in Land and Pattadar Pass Books Act, 1971 to entertain the representations against entertaining applications for mutation. Further, persons against whom grievance is made are not made parties in the writ petition. Thus, the reliefs sought for in the writ petition cannot be granted. Court is not inclined to entertain the Writ Petition. Thus, leaving it open to petitioner to work out her remedy as available in law independently and in pending suits, and as and when mutation proceedings are taken up, before the appropriate revenue authorities, Writ Petition is dismissed. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

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