

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.14271 of 2019

Dated : 12th July, 2019

Between :

Musku Karuna Devi W/o.M.Ananda Reddy,
Aged about 49 years, Occ: Housewife,
R/o.H.No.7-6-254/2, Ashok Nagar,
Jagitial District, Telangana.

..... Petitioner

AND

- 1) The State of Telangana,
Rep. by its Principal Secretary,
Revenue Department, Secretariat,
Hyderabad.
- 2)



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ORDER:

Heard.

2. According to the petitioner, lands to an extent of Ac.0.12 guntas in survey No.29uu/1, Ac.1.15 guntas in survey No.63a/1, Ac.1.06 guntas in survey No.64a/1, Ac.0.16 guntas in survey No.101aa/1, Acs.13.26 guntas in survey No.106a/4, Ac.0.30 guntas in survey No.140uu/1, Ac.0.22 guntas in survey No.141, Ac.0.07 guntas in survey No.163aa/1, Ac.012 guntas in survey No.169a, Ac.0.01 guntas in survey No.200aa/1, Ac.0.36 guntas in survey No.259/a and Ac.0.23 guntas in survey No.262/a situated at Habsipur Village of Jagitial Mandal and District are standing in the name of her husband. During the life time of her husband, he abandoned the petitioner and her minor daughter and lived with another person by name Hamsa. It appears that the husband of the petitioner died. Petitioner now alleges that some antisocial elements at the instance of Ms.Hamsa are trying to change the revenue records and mutate their names. Petitioner also alleges that her husband tried to change the revenue records by deleting the name of the petitioner in respect of the house property. Aggrieved thereby, petitioner filed O.S.No.71 of 2018 on the file of the Senior Civil Judge, Jagitial. She also filed W.P.No.1508 of 2019 before this Court and this Court disposed of the said writ petition observing that in case of any change of names in the concerned revenue records, petitioner shall be put on notice and given an opportunity.

3. In the present Writ Petition, petitioner alleges that though a representation was made on 22.12.2018 to mutate her name in respect of the property standing in the name of her husband, no action is taken so far.

4. A reading of the representation itself would show that there are some other claims in respect of the subject property. As long as property is standing in the name of her husband in revenue records nothing prevented the petitioner from applying for mutation in her name. Instead of applying for mutation, petitioner seeks a direction not to entertain any application for mutation. In accordance with the provisions contained in T.S. Rights in Land & Pattadar Pass Books Act, 1971, no direction can be issued to the Tahsildar not to entertain application for mutation when the Statute does not prohibit the same. The Statute also prescribes a detailed procedure to receive application for mutation and process the said application. Thus, even before the application is made, the Tahsildar cannot be enjoined against receiving such application. Therefore, leaving it open to the petitioner to work out her remedies, as available in law, the Writ Petition is dismissed.

Miscellaneous Petitions pending in this writ petition, if any, shall stand closed. No order as to costs.

P.NAVEEN RAO, J

12th July, 2019.
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