

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.14580 OF 2019

Date: 17.07.2019

Between:

Emmadi Someshwar, s/o. late Naraiah, Aged 65 years,
Occu:Business, r/o. H.No.1-38, Nancharimaduru village,
Thorrur Mandal, Warangal district, Telangana.

.....Petitioner

and

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

.....Respondents



The Court made the following:

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ORDER:

Petitioner claims that E.Naraiah, father of the petitioner, was owner of the land to an extent of Ac.3.03 guntas in Sy.No.245/C of Nancharimaduru village, Thorrur Mandal, Mahabubabad district. His father died on 09.04.1974. Petitioner claims to have made application on 23.04.2016 for mutation of the subject land in his name as successor to his father. On 30.12.2017, the land to an extent of Ac.2.10 guntas was mutated in his name in the above survey number, leaving aside the remaining extent of land. Petitioner alleges that though objection was raised and though subsequent representations were made, the same were not acted upon. Alleging inaction on the representations, this Writ Petition is filed.

2. From the averments made in the affidavit filed in support of the Writ Petition, briefly noted above, it is apparent that on application made by the petitioner, only smaller extent of land is not mutated in his name. In other words, the Tahsildar was not inclined to accept the request of petitioner to mutate the entire extent of land claimed by the petitioner. If that is so, petitioner ought to have availed the remedy of appeal or revision, as the case may be, against the decision of the Tahsildar. Without availing such remedy, petitioner makes another representation to the Tahsildar. Such representation is not valid in law and, therefore it cannot be said that there is inaction on the said representation. Thus, leaving it open to petitioner to work out his remedy as available in law, Writ Petition is dismissed. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

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