

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.28930 OF 2019

Date:31.12.2019

Between:

Smt. Kilaru Anitha, W/o. Rama Rao,
Aged 35 years, Occ: Agriculture,
R/o.H.No.3-8-257, Road No.3,
Chandrapuri Colony, L.B.Nagar,
Hyderabad

.. Petitioner

And

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

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.28930 OF 2019****ORDER:**

Heard learned counsel for the petitioner and learned Government Pleader for Revenue for respondents 1 to 5.

2. Petitioner alleges that she is the sister of Koleti Ashok, respondent No.7. At the time of her marriage, her father gave land to an extent of Acs.5.06 guntas in Survey No.14/A/1 of Aregudem Village, Nelakondapalli Mandal, Khammam District, and the said property belongs to her. In this writ petition, petitioner challenges the proceedings of the Revenue Divisional Officer, Khammam District, respondent No.4, dated 14.09.2019. By the said proceedings, the Revenue Divisional Officer has set aside the orders of the Tahsildar, Nelakondapalli, Khammam District, respondent No.5, granting mutation in favour of respondent No.7, issuance of pattadar passbook and title deeds and directed the Tahsildar to consider the mutation application filed by respondent No.7 afresh after affording due opportunity to the appellant therein i.e., respondent No.6 herein.

3. As stated by learned counsel for the petitioner, petitioner had also grievance on the claim made by respondent No.7 for mutation of his name in the revenue records in the place of her father. If that is so, it is not stated as to how petitioner is aggrieved by the orders of the Revenue Divisional Officer setting aside the orders of the Tahsildar mutating the name of respondent No.7 in the revenue records.

4. Learned counsel for the petitioner sought to contend that petitioner should be given liberty to challenge the mutation claim of respondent No.7 before the Tahsildar.

5. However, that is an independent issue. Having regard to the fact that the Revenue Divisional Officer has set aside the mutation proceedings and remanded to Tahsildar for consideration of the issue afresh, it is always open to the petitioner to raise objection permissible in law. On this aspect, there need not be a direction by this Court nor the Writ Petition can be instituted at this stage even before objections are filed. Moreover, it cannot be expected that the Tahsildar would not entertain the objections to make the petitioner to rush to this Court and file the Writ Petition.

6. The Writ Petition is accordingly dismissed granting liberty to the petitioner to raise all objections as available in law as and when mutation proceedings are taken by the Tahsildar.

P.NAVEEN RAO, J

Date:31.12.2019

Note:- Issue C.C. in two days.

(B/o)

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