

HON'BLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.1797 of 2020

ORDER :

Heard learned Standing Counsel for respondent No.2 – Corporation. There is no representation on behalf of the petitioners.

The prayer sought in the writ petition is as under:

“..... this Hon'ble Court may be pleased to issue an order or direction more particularly in the nature of Writ of Mandamus declaring the action of respondent No.3 in not mutating the names of the petitioners in the Municipal Records in respect of houses bearing H.No.1-16-87 in Plot No.C-135 land admeasuring 167 Square Yards and H.No.1-16-83/3 in Plot No.22 land admeasuring 160 Square Yards in Sy.No.190 situated at Sai Nagar Colony, Lothukunta, Secunderabad, as illegal, arbitrary, violation of the provisions of the MCH Act and the Rules made thereunder and violative of Articles 14, 21 and 300-A of the Constitution of India and consequently direct respondent No.3 to consider the claims of the petitioners for mutation in respect of the above said land and pass such other order or orders to grant such other relief or reliefs”

In compliance with the order passed by this Court on 03.02.2020, the learned Standing Counsel for respondent No.2 – Corporation has placed on record the parawise remarks issued by the Deputy Commissioner, Alwal Circle-27, GHMC, as well as the Notice dt.04.02.2020.

From a perusal of the parawise remarks, it is revealed that the petitioner has not produced the Legal Heir

Certificate/Succession Certificate issued by the competent authority, which are required for consideration of their request. Further, change of name from Queeny George changed as Subhan from the competent authority is not submitted by the petitioner. Therefore, the Notice dt.04.02.2020 was issued to Ms. Zareena Subhan, D/o. Md. Subhan intimated to submit Legal Heir/Succession Certificate of late Queeny George and O. Bhanu issued by the competent authority and also to submit from the competent authority of the name of change Mrs. O. Quenny George *alias* Mrs. Subhan *alias* Mrs. Subhani Begum, D/o. late O. George for taking further action for consideration of the claims of the petitioner. Since the petitioner failed to submit the aforesaid documents issued by the competent authority, the petitioners cannot insist for mutation of their names.

Having heard learned Standing Counsel for respondent No.2 – Corporation and also from a perusal of the parawise remarks, unless the petitioners submit the required certificates as sought for by respondent No.2 – Corporation, the petitioners cannot question the action of respondent No.2 – Corporation for not mutating their names in the record concerned.

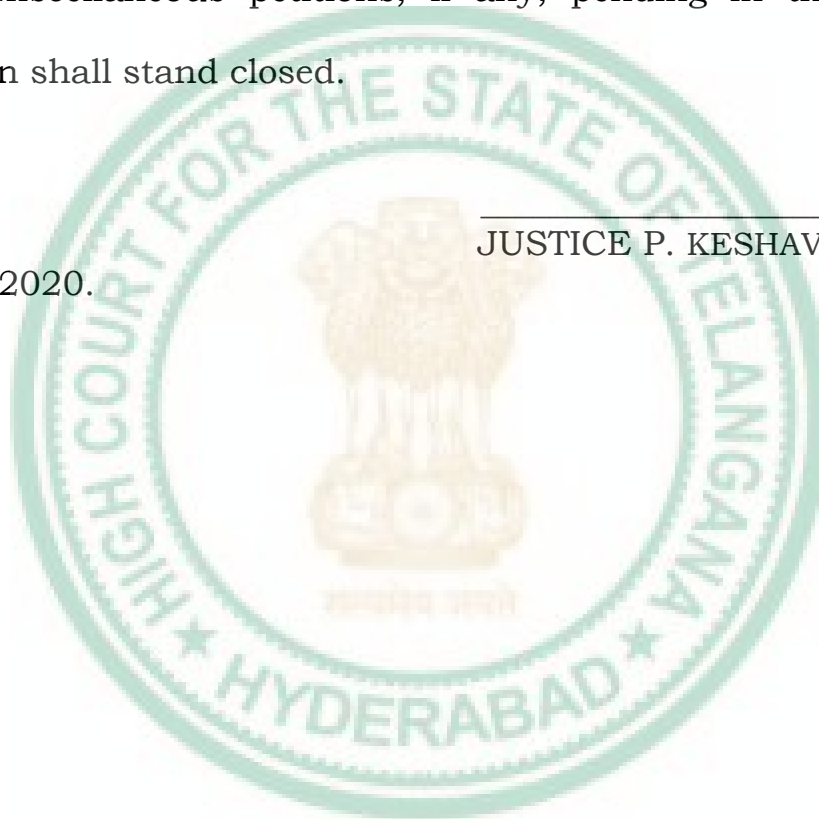
Therefore, there are no merits in the writ petition and the same is liable to be dismissed.

Accordingly, the writ petition is closed. However, the petitioners are given liberty to submit the relevant documents required for mutating their names in the record concerned before respondent No.2 – Corporation. On such submission of the relevant documents, respondent No.2 – Corporation is directed to consider the same and pass appropriate orders as per law. No order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

05.02.2020.
Msr

JUSTICE P. KESHA RAO



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05.02.2020
(Msr)