



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

915 WRIT PETITION NO. 14985 OF 2023

ANITA NITIN WANKHADE

VERSUS

THE STATE OF MAHARASHTRA THR THE PRINCIPAL
SECRETARY OF REVENUE DEPARTMENT AND ANR

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Advocate for the Petitioner : Mr. Solanke Krushna S.
AGP for Respondents 1 and 2/State : Mr. R.S. Wani

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CORAM : RAVINDRA V. GHUGE
&
Y. G. KHOBRAGADE, JJ.

DATE :- 31st January, 2024

Per Court :-

1. The Petitioner claims to be a political activist. Her letterhead indicates that she belongs to the Rashtrawadi Congress Party and is the Taluka Mahila President of the said party. She claims to be an editor of weekly “Amhi Vachak”. This petition is filed with the prayer at clause C, which reads thus:-

“C) *Be pleased to issue appropriate writ or directions or orders in the like nature and respondent no.1 and 2 may kindly be directed to make an enquiry and issue dismissal order of Tahsildar, Paithan, on the basis of inquiry reports, which are at Exhibit C.*”

2. We have perused the report tendered by the

Divisional Commissioner's office dated 21.03.2023 addressed to the Additional Chief Secretary, Revenue Department, wherein, it is specifically stated that the concerned Tahasildar Shri Chandrakant Shelke has been inducted in service by the Maharashtra Public Service Commission vide the appointment order dated 05.08.2004. The Rules pertaining to small family were introduced on 28.03.2005 and clause 5 of the said Rules would not apply to the said officer though he has three children, who are born prior to the introduction of the said Rules.

3. We have come across several such petitions wherein, our Writ of Mandamus is sought to be invoked in service matters for seeking drastic action against the Revenue Authorities. The tendency of filing such petitions has to be curbed.

4. In view of the above, **this Writ Petition is dismissed** with costs of Rs.25,000.

5. At this stage, the learned Advocate for the Petitioner has taken instructions from the Petitioner and submits that the Petitioner would voluntary donate an amount of Rs.10,000/- (Rupees Ten Thousand) to the Advocates' Association of Bombay High Court, Bench at Aurangabad, within 07 days from today.

6. As such, we accept the statement of the Petitioner that she would deposit Rs.10,000/- as stated above, and recall the order of costs of Rs.25,000/-.

kps

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)