



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

69 WRIT PETITION NO. 8987 OF 2025

Yamunabai Shridhar Roadi And Another

VERSUS

The State Of Maharashtra Through Ministry Of Revenue And Forest And
Ors

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Mr. Thorat Nanabhau R, Advocate for the Petitioner

Mrs. Kalpalata Patil Bharaswadkar, AGP for Respondents state

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CORAM : MANISH PITALE &
Y. G. KHOBRAGADE, JJ.

DATE : 18th August, 2025

P. C. :

1. Heard learned counsel for the petitioners.
2. In this petition, the petitioners appear to be making an innocuous prayer for deciding an application dated 21.09.2021 addressed to Respondent No. 4-Tahsildar. But, we find that the real grievance of the petitioners appears to be a mutation made in revenue entry on the basis of an order of the Tahsildar.
3. Perusal of the said application also shows that, apart from being aggrieved by such entry made in the revenue record, the petitioners appear to be raising a grievance about some criminal conspiracy by the person whose name is reflected in the revenue record and in that context, for initiation of criminal proceedings.
4. The documents placed on record also show reference to judgment and order in Misc. Civil Petition concerning the Indian

Succession Act, reference to a will filed by the opposite party, as also reference to an order passed in Second Appeal of the year 2008.

5. We also find representations made by the petitioners before the Divisional Commissioner that unless relief is granted, they would commit self immolation.

6. Learned counsel for the petitioners has not been able to explain to this Court as to how writ jurisdiction under Article 226 of the Constitution of India can be invoked, when the cause of action is not placed with clarity before this Court.

7. We have made efforts to understand the documents placed on record and we find that even according to the petitioners, the grievance appears to be with regard to mutation in the revenue entry and a reference to an order dated 30.08.2021 passed by the Tahsildar.

8. If the petitioners have grievance with regard to the same, avenues of challenge are provided in the Maharashtra Land Revenue Code, 1966. As regards the alleged criminal conspiracy and allegations made in this context, the petitioners can very well trigger the criminal process in accordance with law.

9. Reference to will deed and genuineness thereof have been already made subject matter of civil proceedings and the same would abide by the final result thereof.

10. In such circumstances, the petitioners would be at liberty to trigger the remedy indicated herein-above on criminal side, as also to approach the competent civil court for the reason that complicated and disputed questions of facts arise in the present matter.

11. We decline to entertain the petition under Article 226 of the Constitution of India, while keeping open the liberty as noted herein above.

12. Writ Petition is accordingly dismissed.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)

JPChavan