IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No.7810 of 2026
CNR No. ODHC010164302026

Tulasi Manjari Jena ..... ***Petitioner***

Represented by Adv. - Bhaskar Chandra Panda

-versus-

State Of Odisha & Ors ..... ***Opposite Parties***

Represented by Mr. D.Lenka,, A.G.A.

CORAM:
MR. JUSTICE SASHIKANTA MISHRA

ORDER
13.11.2026

Order No. 2

1. This matter is taken up through hybrid mode.

2. Learned State Counsel requests for further time to obtain instructions. However, this Court finds no justified reason to grant any further time.

3. Heard learned counsel for the petitioner and learned Additional Government Advocate for the State.

4. The petitioner has approached this Court with the following prayer:

> *"It is therefore prayed, that in the facts and circumstances stated above and in the interest of justice, this Hon'ble Court may be pleased to admit this writ petition, issue notice to the Opposite Parties and after hearing the counsels for the parties be pleased to quash the impugned order dated 18.12.2025 passed in Mutation Case No. 8624 of 2025 under Annexure-3 and direct the Opposite Party No.2 to correct the Record of Right as per the judgment and decree passed by the learned Civil Court;*
> *And/or pass such other order/direction as deem fit and proper in the fact and circumstances of the case;*
> *And for this act of kindness the petitioner as in duty bound shall ever pray."*

5. It appears that after purchasing the land in question from its recorded owner, the land somehow came to be recorded under the Government Sarbasadharana Khata. The petitioner has therefore, filed a civil suit being T.S. No. 105 of 1992 before the learned Senior Civil Judge, Bhadrak. The suit was decreed in favour of the petitioner, declaring his right, title and interest over the suit land with direction to the concerned authority to record the same in his name. The petitioner therefore, filed an application for mutation registered as Mutation Case No. 8624 of 2025. By order dated 18.12.2025, the mutation case was dropped by the Tahasildar noting that it has been decided to seek a review and file an appeal before the higher forum. This Court can only wonder as to where from the Tahasildar acquired the authority to decide either to file review or appeal against an order passed by the competent Civil Court. It is evident that the provisions under Rule 35 of OSS Rules were conveniently ignored. This is obviously not expected of an officer as senior as the Tahasildar.

6. Be that as it may, in view of the statutory mandate reflected in Rule 35 of the OSS Rules, the writ application is allowed. The impugned order is set aside. The Tahasildar is directed to record the land in the name of the petitioner strictly in terms of the judgment and decree passed by the Civil Court in the aforementioned suit.

7. This direction shall be carried out within four weeks from the date of production of certified copy of this order by the petitioner.

Signature Not Verified
Digitally Signed
Signed by: DEEPAK PARIDA
Reason: Authentication
Location: OHC,Cuttack
Date: 13-Nov-2026 17:58:42

(Sashikanta Mishra)
Judge

Deepak