
(2025) 10 OH CK 0016

Orissa HC

Case No: Writ Petition (C) No. 18902 Of 2025

Ajita Kumar Sahoo

APPELLANT

Vs

State Of Odisha And
Others

RESPONDENT

Date of Decision: Oct. 28, 2025

Acts Referred:

- Constitution Of India, 1950 — Article 226, 227

Hon'ble Judges: A.C.Behera, J

Bench: Single Bench

Advocate: N.K. Sahu, S. Nayak

Final Decision: Disposed Of

Judgement

A.C.Behera, J

1. This writ petition under Articles 226 and 227 of the Constitution of India, 1950 has been filed by the petitioner praying for directing Tahasildar, Nayagarh (Opposite Party No.3) to register his application for mutation, to which, he(petitioner) had presented before the Tahasildar, Nayagarh (Opposite Party No.3) on dated 25.10.2024 and which is with him (Tahasildar, Nayagarh, Opposite Party No.3) in its office, as till yet since 25.10.2024, the Tahasildar, Nayagarh (Opposite Party No.3) is not registering the said application for mutation of the petitioner as a mutation case.

2. Heard from the learned counsel for the petitioner and learned Additional Standing Counsel for the State.

3. Law relating to non-registration of application for mutation of any person like the present petitioner in this writ petition has already been clarified in a case between Sunil Kumar Yadav vrs. District Magistrate, Lucknow and others : reported in 2025(3) Civil Court Cases-159 (Allahabad) that,

whenever an application for mutation is filed before the Tahasildar, it is the duty of the Tahasildar to accept and register the same as mutation case and after registering the same as mutation case, the Tahasildar shall proceed with the same for its final disposal as per law.

4. When, as per law, it was the duty of the Tahasildar, Nayagarh (Opposite Party No.3) to register the application for mutation of the petitioner, which was filed by him(petitioner) on dated 25.10.2024 and when till yet since 25.10.2024, the Tahasildar, Nayagarh (Opposite Party No.3) has not registered the said

application for mutation of the petitioner as mutation case, then at this juncture, there is justification under law to direct the Tahasildar, Nayagarh (Opposite Party No.3) to register the application for mutation dated 25.10.2024 of the petitioner as mutation case and to proceed with the same for its final disposal as per law.

5. Therefore, there is merit in the writ petition filed by the petitioner. The same is to be allowed.

6. In result, the writ petition filed by the petitioner is allowed.

The Tahasildar, Nayagarh (Opposite Party No.3) is directed to register the application for mutation dated 25.10.2024 of the petitioner as a mutation case on the very same date of production of the certified copy of this judgment by the petitioner and to proceed with the said mutation case as per law after giving opportunity of being heard to the petitioner and others, if any, in full compliance of the principles of natural justice.

7. As such, this writ petition filed by the petitioner is disposed of finally.