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**(2023) 03 MP CK 0032**

**In the Madhya Pradesh High Court**

**Case No : Writ Petition No. 5301 Of 2023**

Hari @ Hariram Kewat And Others

APPELLANT

Vs

State Of Madhya Pradesh And Others

RESPONDENT

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**Date of Decision : 02-03-2023**

**Acts Referred:**

Constitution Of India, 1950 — Article 226

Madhya Pradesh Land Revenue Code, 1959 — Section 109, 110, 115

**Citation : (2023) 03 MP CK 0032**

**Hon'ble Judges : Gurpal Singh Ahluwalia, J**

**Bench : Single Bench**

**Advocate : D.P. Singh, Sushant Tiwari**

**Final Decision : Dismissed**

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## **Judgement**

Gurpal Singh Ahluwalia, J

This petition under Article 226 of the Constitution of India has been filed seeking following reliefs :-

"(i) That, the respondent be commanded to take cognizance over the representation filed by the petitioner impugned Annexure P-1 with a further to make Amal over the revenue record relates to Survey No.525, Area 3.44 Hectare, Situated at Village Guraiya, Patwari Halka No.01, Khaniyadhana, District Shivpuri (M.P.).

(ii) That, the respondent be further commanded to make proper entry in the computer record as well as in all the revenue papers and recorded as Bhoomi-Swami over Survey No.525, Area 3.44 Hectare.

(iii) That, any other relief which is suitable in the facts and circumstances of the case in favour of the petitioner including the costs throughout may be granted."

It is submitted by learned counsel for the petitioner that the petitioner has been granted lease by the Government but he is repeatedly requesting the Tehsildar

Khaniyadhana to mutate his name in the Revenue record but no action has been taken.

It is fairly conceded by the counsel for the petitioner that the petitioner has not moved any application under Sections 109, 110 or 115 of MPLRC.

When there is a specific provision under MPLRC, then making an application on administrative side is not permissible. Accordingly, counsel for the petitioner seeks permission of this Court to withdraw the petition with liberty to file an application under Sections 109, 110 or 115 of MPLRC.

With aforesaid liberty, the petition is dismissed as withdrawn. Needless to mention that by extending the aforesaid liberty, this Court has not considered the entitlement of the petitioner to get his name mutated in the Revenue records. If such an application is filed, then it shall be considered and decided on its own merit without getting influenced or prejudiced by this Court.