



A.F.R.

ORISSA HIGH COURT : CUTTACK

WP(C) No.35230 of 2025

An application under Articles 226 & 227 of the Constitution of India.

* * *

Jayanti Biswas & Others

...

Petitioners.

-VERSUS-

State of Odisha & Others

...

Opposite Parties.

Counsel appeared for the parties:

For the Petitioners : Mr. Niranjana Panda, Advocate

For the Opposite Parties : Mr. S. Nayak, Addl. Standing Counsel.
(For the State)

P R E S E N T:

**HONOURABLE
MR. JUSTICE ANANDA CHANDRA BEHERA**

Date of Hearing : 08.01.2026 :: Date of Judgment : 08.01.2026

JUDGMENT



ANANDA CHANDRA BEHERA, J.—

1. This writ petition under Articles 226 and 227 of the Constitution of India, 1950 has been filed by the petitioners praying for directing the Tahasildar, Kalimela (Opp. Party No.4) in the district of Malkangiri for deletion of the name of Mr. Laxman Biswas from the R.o.R. vide Khata No.181/61 in Mouza-Erbanpali, because, Mr. Laxman Biswas has expired.
2. Heard from the learned Counsel for the petitioner and the learned Addl. Standing Counsel for the State.
3. It is the settled propositions of law that, for deletion of the name of a recorded tenant from a R.o.R on the ground of his/her death, a Mutation Case is to be registered on the basis of an application submitted by a interested party, who is interested for deletion of the name of such dead person from the R.o.R and then, an enquiry is to be conducted by the Tahasildar and thereafter, necessary order may be passed by the Tahasildar for deletion/exclusion of the name of the dead recorded tenant from the R.o.R and in his place, the names of his/her LRs be indicated.



For which, High Court, cannot pass a blanket order in this Writ Petition directing the Tahasildar, Kalimela (O.P. No.4) for deletion of the name of a dead person from the R.o.R, because, for deletion of the name of a dead person from the R.o.R, some formalities as per law are required to be made before the Tahasildar through a Mutation Proceeding.

4. In view of the above settled propositions of law, there is no justification under law to allow the writ petition filed by the petitioners in full.

For which, the writ petition filed by the petitioners is to be allowed in part.

5. In result, the writ petition filed by the petitioners is allowed in part.

6. Liberty is granted to the Petitioners to file an application before the Tahasildar, Kalimela praying for deletion/exclusion of the name of dead person i.e. Laxman Biswas from the R.o.R. vide Khata No.181/61 in Mouza-Erbanpali and on the basis of such application, the Tahasildar, Kalimela shall register a Mutation Case and he shall conduct an enquiry and then, he shall pass the necessary orders for the same.



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

(ANANDA CHANDRA BEHERA)
JUDGE

High Court of Orissa, Cuttack
The 08 .01. 2026// Rati Ranjan Nayak Sr. Stenographer