



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.3921 of 2026

Madan Mohan Sethy

....

Petitioner

Represented by

Mr. R. Dasmohapatra, Advocate

-Versus-

Collector, Nayagarh & Others

....

Opp. Parties

Represented by

Mrs. J. Sahoo,

Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

23.03.2026

Order No.
01.

1. This matter is taken up through hybrid mode.
2. The petitioner has approached this Court seeking quashment of the order under Annexure-6 passed by the Tahasildar, Ranapur in Mutation Case No.1398 of 2024.
3. After hearing learned counsel for the parties and on going through the order sheet of the mutation case in question, this Court finds that on 27.09.2024 the Tahasildar passed the following order:-

“Despite notice, the applicants did not appear for hearing nor did documents relevant to the case were received for disposal of the case. Hence, the case is rejected.”

4. The applicants being absent, the Tahasildar rejected the case.
5. Mr. Dasmohapatra, learned counsel for the petitioner submits that his client never received any notice and being rustic villager he was not aware of the next date of posting of the case and hence, he could not appear. It is further submitted that since the report of the R.I. is in his favour, the Tahasildar ought to have taken the same into consideration without rejecting the case on the technical ground of non-appearance.



6. Considering the submissions, the writ application is disposed of by setting aside the order dated 27.09.2024 and by directing the Tahasildar, Ranpur to re-hear the Mutation Case No.1398 of 2024 after hearing the petitioner and taking note of all available materials including the report of the R.I., which is already on record.

7. For convenience, the petitioner is directed to appear before the Tahasildar on 13th April, 2026 for fixing further date of hearing. The mutation case shall be disposed of within four weeks from the date of appearance.

(Sashikanta Mishra)
Judge

Puspanjali