IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 8011 of 2026

M. Rameswar Choudhury @ Rameswar Choudhury **….** ***Petitioner***

Represented by
Mr. M. Mohanty, Advocate

-Versus –

State of Odisha & Others **….** ***Opp. Parties***

Represented by
Mr. J. Sahoo, ASC

CORAM:
JUSTICE SASHIKANTA MISHRA

ORDER
18.03.2026

Order No. 1.

1. This matter is taken up through hybrid mode.

2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.

3. The Petitioner has approached this Court with the following prayer:-

> *"The petitioner humbly prays that your Lordships may kindly be graciously pleased to admit the writ petition and at the stage of admission this Hon'ble Court may kindly be pleased to issue of writ of mandamus in form of appropriate direction to the Sub-Collector, Malkangiri (O.P. No.3) for accepting the form-II (return) under Section-3-B (1) of Regulation -2/1956 in OSATIP Case No. 222 of 2011 from the petitioner in respect of mutation Khata No. 6 (mutation Khata No. 47/31) plot NO. 28 Ac. 2.11 dec. of Mouza-Kadamguda within a time stipulated.*
>
> *And for this act of kindness the petitioner shall as in duty bound ever pray."*

4. The facts of the case, briefly stated, are that the original

recorded owner of the property obtained permission under Regulation 2 of 1956 on 08.12.1977 for permission to sell the same. Subsequently, he sold the property to the Petitioner. The property was recorded in the name of the petitioner as per mutated R.O.R. No. 47/31. In the meantime, the relevant provision of Regulation 2 was amended in the year 2002 and came into force on 07.09.2003 requiring the concerned persons to submit return in Form-II on 07.09.2005. According to the Petitioner, he being a rustic villager was unaware of the requirement to submit the return as per the amended provision. The petitioner has been noticed in OSATIP Case No. 222 of 2011.

5. Accordingly, the petitioner has not submitted the same even till date. Apprehending that his return may not be accepted, he has approached this Court seeking necessary direction.

6. Considering the facts stated above and the submissions made, the Writ Petition is disposed of directing the Sub-Collector, Malkangiri to accept the return in Form-II to be filed by the Petitioner in OSATIP Case No. 222 of 2011 within 15 days from today. The Sub-Collector shall take note of the grounds for non-submission of the Form-II earlier by the Petitioner and pass orders accordingly.

7. Urgent certified copy of this order be granted on proper application.

(Sashikanta Mishra)
Judge

BC.TUDU

Signature Not Verified
Digitally Signed
Signed by: BHIGAL CHANDRA TUDU
Designation: Sr. Stenographer
Reason: Authentication
Location: Orissa High Court, Cuttack
Date: 19-Mar-2026 17:32:20