

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH

* * *

WRIT PETITION No. 34242 of 2015

BETWEEN

A.Sarojini and others

... PETITIONER

AND

The State of Andhra Pradesh, rep. by its Principal Secretary and others

...RESPONDENTS

Date of Order pronounced: 14.10.2015

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

1. Whether Reporters of Local newspapers Yes/No

may be allowed to see the Judgments?

2. Whether the copies of judgment may be Yes/No

marked to Law Reporters/Journals?

3. Whether his Lordship wish to see the Yes/No

fair copy of the Judgment?

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ORDER:-

Heard learned counsel for the petitioners and learned government pleader for Revenue.

2. Petitioners grievance is non-consideration of their application made by the Tahsildar and the Revenue Divisional Officer (RDO), respondent Nos.3 and 2 respectively. Petitioners state there are illegal entries in the revenue record and that the pattadar passbook was issued to the fourth respondent ignoring the petitioners before the RDO. He has also sought certain information from the Information Officer on 31.10.2014 followed by an appeal before the RDO under RTI Act on 14.01.2015. Petitioners allege that in spite of the said proceedings, no action is taken by respondent Nos.2 and 3 on any of the representations.

3. It is evident that the petitioners have approached the first appellate authority under the Right to Information Act

i.e., the Sub-Collector and the Sub-Collector had issued a notice calling for record in RTI Appeal No.714/2015 dated 10.02.2015 directing the Tahsildar to supply information and connected records and appear before the appellate authority. It is not clear as to what further progress has taken place in the said appeal. In the meanwhile, the petitioners have made a representation on 14.01.2015 before the RDO for cancellation of pattadar passbook No.174093.

4. Since it is settled by this court that representations cannot be treated as an appeal, petitioners will have to file an appropriate appeal, if they are aggrieved, by approaching the appellate authority, the second respondent. The representation of the petitioners, therefore, cannot be treated as an appeal.

Hence, petitioners are at liberty to pursue their appeal before the first appellate authority under the RTI Act and also with the liberty to file appropriate appeal before the RDO.

Writ petition is accordingly disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

October 14, 2015

LMV