

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

WRIT PETITION No.23437 of 2015

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Between:

Vasamreddy Ramana Reddy

...Petitioner

and

The State of Andhra Pradesh and others

...Respondents

DATE OF JUDGMENT PRONOUNCED: 13.08.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment
may be marked to Law Reporters/Journals? | Yes/No |
| 3. Whether Their Ladyship/Lordship wish to
see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.23437 of 2015

ORDER:

The petitioner in this Writ Petition questions the order of cancellation of assignment passed by the second respondent - Joint Collector, Nellore in proceedings bearing D.Dis.(E8)945/2013, dated 06.04.2013.

By the impugned order, the second respondent cancelled various assignments on the ground that they are irregular and so far as the petitioner is concerned, his name appears at Sl.No.12 with regard to lands admeasuring Acs.4.46 cents and Ac.0.54 cents of Survey Nos.169/3 and 171/5 respectively, situated at Andagundala Village. However, the petitioner questioned the said order *inter alia* on the ground that the said order was passed without issuing any prior notice to him.

This Court had asked the learned Government Pleader to get instructions as to whether any notice was served on the petitioner prior to the passing of the impugned order.

Today, the learned Government Pleader placed before the Court instructions of the Tahsildar, Tada Mandal, which states that the petitioner is not residing in Andagundala Village as such the Village Revenue Officer has served notice by substituted service and affixed the notice on the Notice Board of the Gram Panchayat Office, Andagundala. The said copies are also submitted along with the instructions.

Prima facie, it appears that the notice has been served on the

petitioner before passing the impugned order. Hence, there is no reason to entertain the Writ Petition. However, the petitioner has efficacious alternative remedy of preferring appeal against the said order, if he is aggrieved.

The Writ Petition is therefore disposed of permitting the petitioner to avail such remedy available under law and he is at liberty to raise all his contentions including the contention that the notice has not been properly served on him, before the appellate authority.

Miscellaneous Petitions, if any pending in this Writ Petition shall stand closed. No order as to costs.

VILAS V.AFZULPURKAR, J

13th AUGUST, 2015.

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