

THE HON'BLE SRI JUSTICE SANJAY KUMAR

-
WRIT PETITION NO.26844 OF 2008

-
DATED 23rd JUNE, 2015

Between :

Datla Padmavathi

...Petitioner

and

The Government of Andhra Pradesh, represented
by its Principal Secretary, Social Welfare (LTR-2)
Department, Secretariat, Hyderabad, and others.

...Respondents

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-

WRIT PETITION NO.26844 OF 2008

ORDER

This writ petition was filed assailing G.O.Ms.No.203, Social Welfare (Ltr-2) Department, dated 18.11.2008, which embodied the order passed by the State as a Revisionary Authority. This revision was filed by the husband of the writ petitioner under Section 6 of the A.P. Scheduled Area Land Transfer Regulation, 1959, assailing the order dated 28.08.2004 passed by the Additional Agent to Government, Rampachodavaram, in CMA No.7 of 2004. This CMA was also filed by the husband of the petitioner aggrieved by the order dated 05.02.2003 passed by the Special Deputy Collector (Tribal Welfare) Rampachodavaram, East Godavari District, in LTRP No.236 of 2002. The petitioner in LTRP No.236 of 2002 was the mother of the fifth respondent herein. Upon her death, the petitioner's husband filed CMA No.7 of 2004 against the fifth respondent and consequently, he was a party to the revision and thereafter made as a party to this writ petition.

However, the writ petition was dismissed for default as against the fifth respondent as per the order dated 24.06.2011 passed by this Court.

In the absence of the fifth respondent who is a vitally interested and essential party to this writ petition challenging the revisionary order arising out of the petition filed by his predecessor-in-title, the writ petition must necessarily fail in its entirety, as the validity of the said order cannot be examined behind his back.

The writ petition is accordingly dismissed on this ground. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J.

23rd JUNE, 2015
PGS