

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 5708 of 2015

ORDER:

The petitioner's grievance is, the incumbent Joint Collector, before whom a revision is preferred against the impugned order dated 31.01.2014, is the one who passed the impugned order in the capacity of Sub-Collector; and hence, unless and until an alternative arrangement is made, the likelihood of taking up his case is bleak and his case would be at jeopardy.

2. Learned Assistant Government Pleader, on instructions, submits that this Court, in similar circumstances in W.P.No.30256 of 2014, directed the District Collector to exercise the powers of appellate authority, observing that the Joint Collector cannot function as appellate authority sitting in appeal over his own order.

3. In the light of the arrangement which is made in respect of other cases, interest of justice would be served if a similar arrangement is made in the petitioner's revision as well. Therefore, the District Collector-9th respondent shall take on file the Revision Petition in Ref.No.D4/7881/2014 filed by the petitioner against the orders in Proceedings No.D.Dis.B4/7666/2012 dated 31.01.2014, passed by the Sub-Collector, Madanapalle, and dispose of the revision within a period of four months from today.

4. With this, the writ petition stands disposed of. No costs.

Miscellaneous petitions, if any pending in this writ petition, shall stand closed.

CHALLA KODANDA RAM, J

11th March, 2015
ksm