

HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.9976 of 2005

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Date: April 23, 2015

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Between:

Mallidi Satyanarayana Reddy ... Petitioner

and

1. The District Collector,

East Godavari District,

Kakinada & 3 others. ... Respondents

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HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.9976 of 2005

ORDER:

This writ petition was filed assailing the proceedings dated 08.09.2002, whereby the Collector, East Godavari District, dismissed the appeal of the petitioner instituted against the proceedings dated 27.03.2002 passed by the Joint Collector, East Godavari District, Kakinada, on behalf of the Collector,

East Godavari District.

2. Significantly, the appeal filed by the petitioner was before the very same authority on whose behalf the order dated 27.03.2002 was passed. In effect, the appeal was filed before the same authority. Nothing is forthcoming from the record as to under which provision of law the primary order dated 27.03.2002 was passed and under which provision, the appeal was preferred by the petitioner. In blissful ignorance of the relevant law, it appears that the petitioner as well as the authorities concerned proceeded in the matter.

3. As no appeal would lie to the Collector against an order passed on behalf of the Collectorate and signed by the Joint Collector on behalf of the Collector himself, this Court is of the opinion that the order dated 08.09.2002 which is under challenge cannot be examined on merits.

4. The writ petition is accordingly closed leaving it open to the petitioner to avail the appellate remedy in accordance with law, if such appellate remedy is available as per the relevant legal provisions. Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

SANJAY KUMAR, J.

Date: April 23, 2015.

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HON'BLE SRI JUSTICE SANJAY KUMAR

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