

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

* * *

WRIT PETITION Nos. 32524 AND 32556 of 2015

BETWEEN

Muddu Appalakonda and another

... PETITIONERS

AND

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

...RESPONDENTS

Date of Order pronounced: 29.10.2015

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 his Lordship wish to see the
fair copy of the Judgment? | Yes/No |

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ORDER:-

In these writ petitions, petitioners seek a declaration that the order passed by the third respondent under Section 11(a) of the A.P. (AA) Estates (Abolition & Conversion into Ryotwari) Act, 1948, as

non est and unenforceable on various grounds.

2. Heard learned counsel for the petitioner and learned government pleader for revenue at length.

3. I am, however, unable to find any reason to permit the petitioners to question the said impugned order on the ground raised herein merely on the basis of a decree in an injunction suit filed by them. Moreover, petitioners themselves had approached the learned Joint Collector and the Settlement Officer claiming ryotwari patta. Hence, the order cannot be stated to be void and unenforceable as the said order is passed in exercising statutory jurisdiction under Section 11(a) of the aforesaid Act by the competent authority. In addition to that, petitioners have an efficacious alternative remedy of preferring an appeal provided under the Act against the said impugned order. Hence, for more than one reason, the writ petitions do not deserve to be entertained and are liable to be dismissed.

Writ petitions are accordingly dismissed. However, petitioners are at liberty to avail the alternative remedies available against the impugned order. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

October 29, 2015

LMV