

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 15117 of 2004

ORDER:

This writ petition is filed challenging the Panchanama dated 14.07.2004 whereunder the petitioner was directed to be evicted from the land over an extent of Ac.1-35 cents in Survey No.21 of Mallidi village, Bheemini mandal, Adilabad district.

2. Heard learned counsel for the petitioner and the learned Government Pleader.

3. The panchanama dated 14.07.2004 was pursuant to the Orders of the Sub-Collector in proceedings No.B/1756/03 dated 13.07.2004. By the said Orders dated 13.07.2004, the assignment patta which was granted in favour of the petitioner on 30.12.1988 came to be cancelled alleging violation of the conditions of A.P. Assigned Lands (Prohibition of Transfers) Act, 1977. Admittedly, there is an appeal remedy provided against the said order. As of today, the petitioner has not filed appeal questioning the Order dated 13.07.2004, and the petitioner has also not challenged the said order in this writ petition. The conducting of panchanama and the subsequent eviction action proposed by the respondent authorities is in the process of implementation of the order dated 13.07.2004. In that view of the matter, this writ

petition, which is filed simply challenging the panchanama dated 14.07.2004, is not maintainable and I do not see any illegality as such in the proceedings dated 14.07.2004. However, I am inclined to accede to the request of the learned counsel for the petitioner to give liberty to challenge the proceedings dated 13.07.2004 by availing the remedy of appeal. It is needless to mention that the petitioner may avail the appeal remedy in accordance with the rules.

4. With the above observations, the writ petition is dismissed. No costs. Miscellaneous petitions, if any pending, shall stand closed.

CHALLA KODANDA RAM, J

20th August, 2015

ksm