

***THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR***

**WRIT PETITION No.33714 OF 2015**

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**ORDER:**

Heard learned Senior Counsel for the petitioners and learned Government Pleader for Revenue appearing for respondents 1 to 5.

The petitioners are aggrieved by the order, dated 12.12.2012, of the Revenue Divisional Officer, Khammam District, the 4<sup>th</sup> respondent, in ROR Appeal No.A3/4722/2012. Though the said order is questioned in this Writ Petition, learned counsel for the petitioners states that the petitioners were unaware of the passing of the aforesaid order and in January, 2015, when they came to know about the same, they immediately made a representation, dated 18.03.2015, before the Joint Collector, Khammam District, the 3<sup>rd</sup> respondent, bringing to his notice that the 4<sup>th</sup> respondent had no power to pass the impugned order. Alleging that no action is taken on the said representation and questioning the order of the 4<sup>th</sup> respondent, the present Writ Petition is filed.

*Prima facie*, if the petitioners are aggrieved by the order of the 4<sup>th</sup> respondent, they have a remedy to approach the 3<sup>rd</sup> respondent under Section 9 of the Andhra Pradesh Rights in Land and Pattadar Passbooks Act, 1971 (for short, 'the Act'). The petitioners have, in fact, filed a representation before the 3<sup>rd</sup> respondent on 18.03.2015 and instead, they could have preferred a revision petition.

In that view of the matter, since the petitioners have an efficacious alternative remedy, I am not inclined to entertain the Writ Petition, particularly after lapse of almost three years. The petitioners, however, are at liberty to approach the 3<sup>rd</sup> respondent with a request under Section 9 of the Act, who shall examine the

correctness or otherwise of the order of the 4<sup>th</sup> respondent in accordance with law.

With the liberty aforesaid, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

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***VILAS V.AFZULPURKAR, J***

12.10.2015

Note:- Issue C.C. by one week.

(B/o)

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