

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.32141 of 2015

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ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Revenue.

The petitioners are aggrieved by the proceedings issued by the District Collector, Nellore District, SPSR Nellore District, the 2nd respondent, in Rc.B.No.78/2013, dated 15.02.2013. The present Writ Petition is filed primarily on the ground that the said proceedings were issued without issuing any notice to the petitioners and the petitioners were not aware of issuing of the aforesaid proceedings and only recently they came to know about the same. Hence, the Writ Petition.

Even assuming that the contentions of the petitioners are correct, *prima facie*, the impugned proceedings show that notices were issued to the petitioners and as no explanation was filed by them, case was enquired into and then resumption order was passed. In any case, the petitioners have an effective alternative remedy of questioning the said order before the appellate authority and since *prima facie* notices appear to have been given to them, there is no reason to entertain the Writ Petition bypassing the effective alternative remedy.

The Writ Petition is, accordingly, disposed of giving liberty to the petitioners to approach the appellate authority, if so advised. There shall be no order as to costs.

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

VILAS V.AFZULPURKAR, J

01.10.2015

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