

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.41853 of 2015

ORDER:

Heard.

The petitioners herein question the order of mutation granted by the 3rd respondent in favour of the 4th respondent under the impugned proceedings, dated 20-06-2015. The petitioners, however, state that they were not given any notice though they are in possession and cultivating the land in question. The petitioners also state that the impugned order is passed on the basis of the report of the Mandal Revenue Inspector, Kasipet, who is stated to have made local enquiries with the villagers and elders, but no such enquiry was made from the petitioners, who are stated to be in possession and cultivating the land in question. The petitioners also claim that they are recognized cultivators as per the revenue record and the property was sold to their grand father.

A perusal of the impugned order goes to show that a Notification was published in the Gram Panchayat notice board calling for claims and objections for mutation of the land in question in favour of the 4th respondent and since no claims or objections have been received, the impugned order is passed declaring the 4th respondent as a successor to one late Jangu. Aggrieved thereby, the present writ petition is filed.

I however find that the petitioners have an efficacious alternative remedy under the provisions of the A.P.Rights in Land and Pattadar Pass Books Act, 1971 and I see no reason why the petitioners have not availed the said remedy and has directly approached this Court seeking judicial review of the said order. The petitioners, therefore, can as well raise all their contentions, which are raised in this writ petition, before appropriate authority.

Hence, with the liberty to the petitioners to avail alternative remedy under the aforesaid Act, the writ petition is disposed of. No order as to costs.

Miscellaneous petitions, if any, pending shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 23-12-2015

Prv

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

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Prv