

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.28096 OF 2015

ORDER:

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

This Writ Petition is filed aggrieved by the order, dated 24.08.2014, of the Revenue Divisional Officer, Kalyandurg, Anantapur District, the 3rd respondent, by which the petitioners appeal seeking cancellation of pattadar passbooks and title deeds issued in favour of the 5th respondent was dismissed.

Reliance is placed upon the Revised Land Assignment Policy No.9, G.O.Ms.No.1725, Revenue Department, dated 26.08.1959, dealing with old occupation.

Learned counsel for the petitioners' states that since the petitioners are in possession of the subject land for a long length of time, the assignment itself could not have made to the Tahsildar, Kambadur, Anantapur District, the 4th respondent.

The scope of the proceedings before the 3rd respondent was regarding the petitioners request for cancellation of pattadar passbooks and title deeds issued in favour of the 5th respondent. The contention of the petitioners raised before this Court can as well be adjudicated by approaching the revisional authority by availing the efficacious and alternative remedy under Section 9 of the Andhra Pradesh Rights in Land and Pattadar Passbooks Act, 1971. The jurisdiction of the revisional authority is wide and can look into the

questions of law as well as fact, including the contention of the petitioners based on the policy of the Government, referred to above. There are no reasons to overlook the said alternative remedy and to entertain the Writ Petition.

Hence, the Writ Petition is dismissed giving liberty to the petitioners to avail the efficacious alternative remedy, if so advised. The Registry shall return the original certified copy of the impugned order of the 3rd respondent to the petitioners after obtaining the duly attested copy thereof for the purpose of record.

If the revision, as directed above, is preferred by the petitioners, the revisional authority shall endeavour to hear the same and pass appropriate orders on it expeditiously. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in these Writ Petitions shall stand closed.

VILAS V.AFZULPURKAR, J

16.09.2015
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