

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.3357 of 2016

ORDER:

Heard.

2. The petitioner claims to be the owner of agricultural land in Sy.No.248 admeasuring Ac.14.73 cents situated in Chinnagudipet Village, Dahegaon Mandal, Adilabad District. Aggrieved by the notice issued by the Sub-Collector, Asifabad – Ex.P-1 in proceedings No.D/125/2015, dated 15.9.2015, the present writ petition is filed primarily on the ground that the dispute between the petitioner and respondent No.5 is purely in civil nature and the same cannot be adjudicated by issuing the impugned notice as the powers of the revenue authority are limited.

3. I, however, find from the record that the petitioner is stated to be in possession of the said land and he filed the present writ petition without approaching respondent No.3 by raising his contentions. It is open for the Joint Collector, Adilabad District to examine as to whether the dispute between the parties is of civil nature and whether it falls within his jurisdiction or not. But that can be done only after the petitioner appears before respondent No.3 and file his objections along with the documents. Merely on the basis of averments in the affidavit filed in this writ petition, the proceedings initiated before respondent No.3, as per the directions of the Joint Collector, Adilabad – Ex.P-2, cannot be interdicted at the instance of the petitioner.

4. Hence, with a liberty to the petitioner as aforesaid, the Writ Petition is disposed of. There shall be no order as to costs.

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

JUSTICE VILAS V.AFZULPURKAR

Date: 05.02.2016
AMD

- **THE HON’BLE SRI JUSTICE VILAS V.AFZULPURKAR**

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