

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 45464 of 2016

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue (Andhra Pradesh) and, with their consent, the Writ Petition is disposed of at the admission stage.

The action of respondent No.3, in recording the name of respondent No.4 in 1-B Namuna (ROR) and pattadar adangal for the Fasli 1425, in respect of the land in Sy.No.18/5, admeasuring Ac.1.07 cents situated at Kothapalle Village, Kuppam Revenue Mandal, Chittoor District, cancelling the patta granted in favour of the petitioner is questioned in the Writ Petition, as illegal and arbitrary.

Learned counsel for the petitioner fairly submits that, though the petitioner made representation to respondent Nos.2 and 3 expressing her grievance, till date no orders have been passed.

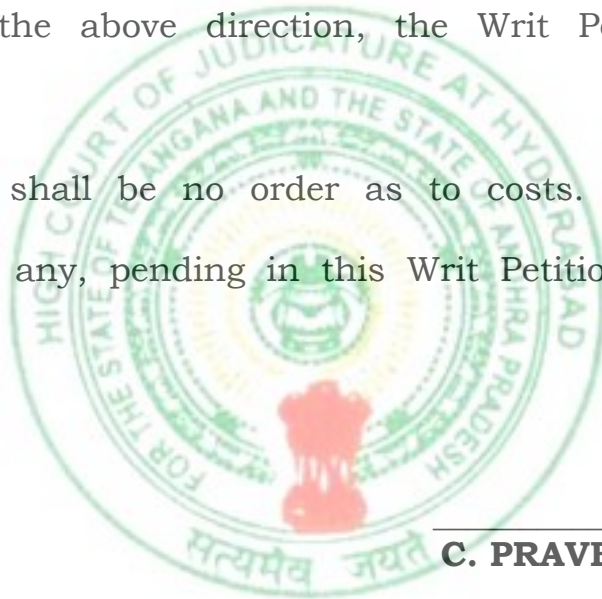
Under Section 5(5) of the A.P. Rights in Land and Pattadar Pass Books Act, 1971, an appeal lie against an order passed by the Tahsildar under sub-section (4) of Section 5-A to the Revenue Divisional Officer within thirty days of the date of communication of the order and the Revenue Divisional Officer shall, after due enquiry, pass an order on the said appeal.

Learned counsel for the petitioner, however, admits that the petitioner ought to have preferred appeal instead of giving a representation. He would submit that the petitioner would file appeal within two weeks from today.

In case, an appeal is filed within two weeks from today, and if the appeal is in order, the authorities concerned shall dispose of the same, after hearing the petitioner and other aggrieved, in accordance with law, as early as possible, within a period of three months thereafter.

With the above direction, the Writ Petition stands disposed of.

There shall be no order as to costs. Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.



C. PRAVEEN KUMAR,J

Dt: 26.12.2016
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