

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 37260 of 2016

ORDER:

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

2. With the consent of both the parties, the Writ Petition is disposed of at the admission stage.

3. The present Writ Petition came to be filed with the following prayer:

'For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a Writ or order or direction more particularly one in the nature of writ of Mandamus declaring the action of respondent No.4 in not disposing of the application of the petitioner dated 29.02.2016 with regard to the discrepancy in revenue records in respect of land admeasuring Ac.1.25 cents in Survey No.600/2B and Ac.1.50 cents in Survey No.600/3 situated at Nellore Village of Nellore District as illegal, arbitrary and violative of Articles 19 and 21 of the Constitution of India'.

4. Learned Government Pleader for Revenue submits that the appropriate authority to consider the application of the petitioner is Collector and not the Tahsildar, in view of Section 3(3) Rule 23 of A.P.Rights in Land and Pattadar Pass Books Act, 1971 (for short, 'the Act').

5. Learned counsel for the petitioner submits that in view of the objection raised, the petitioner may be permitted to make representation before the Collector which may be directed to be dealt with in accordance with law.

6. Recording the above submissions, the writ petition is disposed of directing the petitioner to make an application before the Collector in accordance with Section 3(3) Rule 23 of the Act, in which event the Collector-respondent No.2 shall consider the same and pass orders, in accordance with law, as early as possible, preferably within a period of eight weeks from the date of receipt of the application from the petitioner.

7. Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

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JUSTICE C.PRAVEEN KUMAR

01.11.2016,  
vhh

