

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 20453 of 2011

ORDER:

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Heard learned counsel for the petitioner and Government Pleader for Revenue. With the consent of both the parties, the main writ petition is heard at the admission stage itself.

The present writ petition came to be filed seeking issuance of writ of mandamus declaring the impugned proceedings Rc.No.B/169/2010, dated 20.08.2010 issued by the third respondent for cancellation of pattadar pass book of the petitioner without notice and due process of law, as illegal, arbitrary and violative of principles of natural justice.

The averments in the affidavit filed in support of the writ petition would show that in the year 2008, the petitioner was assigned land admeasuring Ac.1.19 gts., in Sy.No.287/1 situated at Gummudur Village, Mahabubabad Mandal, Warangal District, vide Assignment RDO file No.B/298/2008, dated 11.04.2008. It is stated that the authorities entered the name of the petitioner in the revenue records, issued pahanies for the years 2008-2009 and 2009-2010 and also issued pattadar pass book in favour of the petitioner. It is averred that the since the date of assignment the petitioner is in possession over the said property. While things stood thus, on 20.08.2010, the third respondent is said to have passed the impugned order canceling the pattadar pass book issued in favour of the petitioner. The said action of the third respondent is subject matter of challenge in the present writ petition.

At the time when the matter is taken up for hearing, it is brought to the notice of the Court by the learned Government Pleader for Revenue that against the order of the third respondent/Tahsildar, the petitioner herein preferred Appeal No.A/567/2011 before the second respondent/Revenue Divisional Officer and by an order, dated 16.07.2011 the second respondent confirmed the order of the third respondent. Therefore, the appropriate remedy for the petitioner would be to challenge the order passed by the second respondent/Revenue Divisional Officer.

In view of the subsequent developments, this Court is of the view that nothing survives for adjudication in this writ petition and the same is accordingly dismissed, leaving it open to the petitioner to avail the remedies available under law. No order as to costs.

Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

**JUSTICE C. PRAVEEN
KUMAR**

25.01.2016
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