

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

Writ Appeal No.1238 of 2016

JUDGMENT: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

While this Appeal, under Clause 15 of the Letters Patent, is preferred against the order passed by the learned Single Judge in W.P.No.28593 of 2016 dated 26.09.2016, relegating the appellant-writ petitioners to the remedy of an appeal under Section 11 of the A.P. Survey and Boundaries Act (for short "the Act"), Sri P.S.Rajasekhar, learned counsel for the appellant-writ petitioners, would submit that since the impugned letter dated 22.06.2016 has been addressed by the Assistant Director of Survey and Land Records, no appeal under the Act would lie to him.

While the learned Government Pleader for Revenue would contend otherwise, to submit that an appeal would lie, against the order passed by the Assistant Director of Survey and Land Records, to the Commissioner of Survey and Settlements, it is wholly unnecessary for us to dwell on this aspect, as the letter dated 22.06.2016 appears to be in the nature of an internal communication between the Assistant Director and the Sub-Divisional Police Officer, Nalgonda. While copies of the said letter have been marked to the District Collector, Nalgonda, the Tahsildar, Kangal and the Sub-Inspector of Police, Kangal for their information, a copy thereof has neither been marked to the appellant-petitioners nor to the unofficial respondents.

Sri P.S.Rajasekhar, learned counsel for the appellant-writ petitioners, the learned Government Pleader for Revenue and Sri B.Vijaysen Reddy, learned counsel appearing on behalf of the unofficial respondents, would agree that the proceedings, impugned in the writ petition, cannot be termed to be an order affecting the rights of either the appellant-writ petitioners or the unofficial respondents.

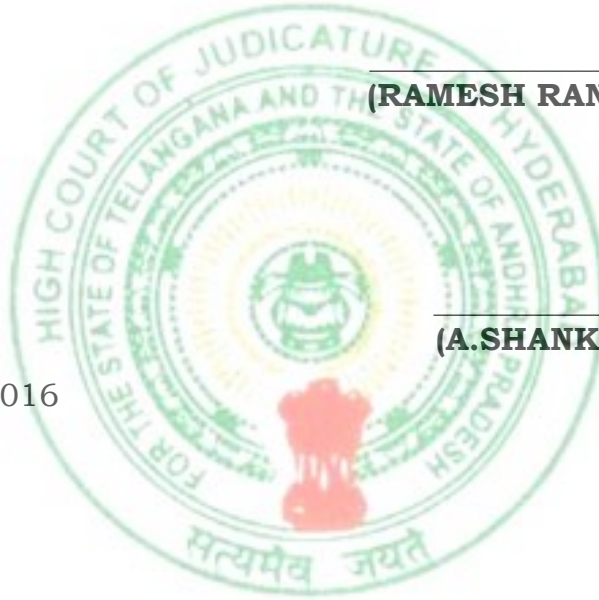
As all the learned counsel are in agreement that the impugned letter is not even an order, the question of either the appellant-writ petitioners or the unofficial respondents being adversely affected by an internal communication between the officials does not arise. Suffice it to modify the order of the learned Single Judge clarifying that the letter under challenge in the writ petition would not affect the rights of either the appellant-writ petitioners or the unofficial respondents.

The Writ Appeal stands disposed of accordingly. Miscellaneous petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(A.SHANKAR NARAYANA, J)

21st November 2016
JSU



**THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
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Date: 21.11.2016

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