

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.11706 of 2016

ORDER :

The petitioner had filed a representation dt.23.11.2015 to the 3rd respondent making certain allegations against respondent nos.5 and 6 with regard to tampering of records by the latter.

2. The petitioner contends that no action has been taken by 3rd respondent in spite of the same.

3. The learned Government Pleader for Revenue, appearing for respondent nos.1 to 4, states that petitioner ought to have filed an appeal under Rule 21 of the Rules framed under the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971, and that grounds of appeal are not there in the application filed by petitioner.

4. This objection on the part of the learned Government Pleader is untenable since procedure cannot be allowed to defeat a substantive right, particularly when petitioner is alleged to be a blind person.

5. Therefore, the 3rd respondent is directed to treat the representation dt.23.11.2015 filed by petitioner against respondent nos.5 and 6 as an appeal under Rule 21; issue notices to respondent nos.5 and 6; and decide the

same in accordance with law within a period of eight (08) weeks from the date of receipt of a copy of the order.

6. Accordingly, the Writ Petition is disposed of. No order as to costs.

7. As a sequel, miscellaneous petitions pending if any in this Writ Petition, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 11-04-2016

Ndr/*