

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH

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WRIT PETITION No.5458 of 2016

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BETWEEN

Lekkala Lingappa.

... PETITIONER

AND

The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad and others.

...RESPONDENTS

DATE OF JUDGMENT PRONOUNCED: 19.02.2016

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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| 1. | Whether Reporters of Local newspapers may be allowed to see the Judgments? | No |
| 2. | Whether the copies of judgment may be marked to Law Reporters/Journals? | No |
| 3. | Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? | No |

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ORDER:

Heard Mr. Vedula Srinivas, learned counsel for the petitioner, Mr. O. Manohar Reddy, who is appearing as respondent caveator and learned Government Pleadeer for Revenue.

2. The present writ petition questions the order of the Revenue Divisional Order dated 05.01.2016 wherein on the appeal filed by the petitioner, the RDO was of the opinion that the matter is of civil nature and directed the parties to approach the competent civil Court for redressal.

3. Though the learned counsel for the petitioner has raised various contentions in support of the present writ petition, particularly, with reference to the previous litigation between the parties, which were earlier adjudicated upon by the Joint Collector in a revision, I do not find any extraordinary reasons to entertain the writ petition ignoring and bypassing the efficacious remedy available to the petitioner under Section 9 of the A.P. Rights in Land and Pattadar Pass Books Act (for short 'the Act'). It is not in dispute and it is well settled that the said remedy under Section 9 of the Act is wide enough to cover all the questions arising between the parties. The present impugned order by the RDO cannot be said to be either in violation of principles of natural justice or suffer from error of jurisdiction.

Hence, with liberty to the petitioner to avail the appropriate remedy under Section 9 of the Act, the writ petition is disposed of.

As a sequel, miscellaneous applications, if any, pending shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

February 19, 2016/DSK