

THE HONOURABLE SRI JUSTICE A. RAJASHEKER REDDY

W.P.No.21358 of 2016

-

ORDER

This writ petition is filed seeking to declare the action of the 4th respondent in deleting the names of the petitioners from pattadar column in respect of land admeasuring Acs.23.40 cents in Sy.No.1050 situated at Ayyappa Reddypalem, Kaligiri Mandal, SPSR Nellore District, as illegal and arbitrary and to set aside the order passed by the 4th respondent in Rc.No.B/538/2015, dated 12.02.2016.

2. Heard learned counsel for the petitioners and learned Government Pleader for Revenue for respondents 1 to 4.

3. Learned counsel for the petitioners submits that the names of the petitioners were removed from the revenue records in respect of land in question without following due procedure and without giving any opportunity to them. He further submits that pursuant to the direction of this Court in W.P.No.11196 of 2015 filed by the petitioners to consider their representation, the 4th respondent passed the order impugned rejecting their application and directed them to approach a competent civil Court, which is erroneous.

4. Learned Government Pleader for Revenue submits that as against the order impugned, there is a remedy of appeal provided under Section 5-B of Andhra Pradesh Rights in Land and Pattadar Passbooks Act, 1971 (for short 'the Act') before the Revenue Divisional Officer.

5. In view of the efficacious alternative remedy of appeal under

Section 5-B of the Act before the Revenue Divisional Officer against the order impugned, the petitioner can avail such remedy raising all the pleas.

6. Accordingly, the Writ Petition is disposed of, with liberty to the petitioner to approach the appellate authority against the order impugned dated 12.02.2016, within a period of two weeks from today, and if such an appeal is filed, the appellate authority shall consider and dispose of the same in accordance with law, within a period of three months thereafter. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

A. RAJASHEKER REDDY, J.

1st July, 2017

sj