

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.10729 OF 2017

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking to declare the order No.C/1893/2015, dated 02.12.2016, passed by the 3rd respondent, as arbitrary and illegal and consequently, to set aside the same directing respondents 2 and 3 to incorporate the name of the petitioner in Record of Rights, Adangals in respect of land to an extent of Ac.1-27 guntas in Survey No.275, situated at Cherigudem Village, Chanduru Mandal.

2. Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue.

3. Admittedly, aggrieved by the impugned order of the 3rd respondent-Tahsildar, the petitioner has an alternative remedy of filing appeal before the Revenue Divisional Officer. The same is not disputed by learned counsel for the petitioner.

4. Learned Assistant Government Pleader for Revenue submits that the petitioner has an alternative remedy by way of filing an appeal under Section 5-B of the A.P. Rights in Land and Pattedar Pass Books Act, 1971 (for short, 'the Act'), and he can as well raise all the grounds in the appeal.

5. Having regard to the above, the Writ Petition is disposed of granting liberty to the petitioner to avail the remedy of appeal under Section 5-B of the Act, and on such appeal being filed, the 2nd respondent-Revenue Divisional Officer is directed to dispose of the same, in accordance with law, after issuing notice to the petitioner and

affected parties. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAJASHEKER REDDY, J

MARCH 27, 2017
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Date: 27.03.2017

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