THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.5926 of 2013

ORDER:

The petitioner challenges notices issued in L.R.No.408/2013/E dated 06-02-2013 and Rc.No.50/2011 dated ….02.2013.

The 2nd respondent filed counter affidavit explaining the circumstances under which the notices are issued and the further steps taken for withdrawal of notices impugned in the writ petition. The stand of 2nd respondent taken in the counter affidavit reads thus:-

> "It is respectfully submitted that proceedings were issued dated 6.2.2013 on the grievance petition submitted by Sri P.Bangaru Raju before the grievance cell of the District Collectorate. The regular appeal proceedings under the provisions of A.P.Rights in Land and Pattadar Pass Book At, 1971 were not noticed and therefore, taking up grievance petition independently the proceedings were issued. It is respectfully submitted that absolutely there is no wilful or deliberate intention on the part of the Revenue Divisional Officer, to cause any loss to the present petitioner and the said proceedings were issued based on the report submitted by the Tahsildar and as stated supra, the Tahsildar has submitted the said report after issuing notices to all the concerned, while conducting enquiry when the Grievance petition from the District Collectorate forwarded to the Tahsildar. It is respectfully submitted that as the orders passed under Sec.5(5) of the A.P.Rights in Land and Pattadar Pass Book Act, and the proceedings now issued on the grievance petition are contradictory and therefore giving opportunity to the aggrieved party to avail the remedy under the statute the proceedings issued on 6.2.2013 are withdrawn by issuing fresh proceedings vide L.Dis.No.408/2013/E dated

> 15.3.2013. These proceedings dated 15.3.2013 are issued since it would curtail the remedy of Revision available to the party and they were passed on the grievance petition of Sri P.Bangaru Raju. It is also pertinent to state here that the statutory appeals under the A.P.Rights in Land and Pattadar Pass Book Act are dealt with by one section of the Revenue Divisional Officer's Office and Grievance petition is dealt with another section and therefore, inadvertently, this fact was not noticed. I tender apologies to the Hon'ble High Court."

In view of withdrawal of notices impugned in the writ petition, the writ prayer is not pressed.

The writ petition is accordingly dismissed as not pressed. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 13-06-2017
Prv