

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.14601 of 2008

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking to declare the action of the 1st respondent in initiating proceedings for the second time in LTR Case No.22/ BCM/ 2008, dated 26.04.2008, in respect of the house property bearing No.9-1-92/ 2 in Sy.No.103/ 2 measuring an extent of Acs.2-71 cents situated at Bhadrachalam Town and Mandal, Khammam District, contrary to the earlier order, dated 06.05.2004 in LTR Case No.245 / BCM/ 1997, as illegal and arbitrary.

When the matter is taken up for hearing, it is informed by the learned Government Pleader for Social Welfare that the petitioner has the remedy of appeal against the order impugned and without availing the same, the petitioner approached this Court.

In view of the submission of the learned Government Pleader, this Court is inclined to pass the following order:

The petitioner is directed to prefer an appeal against the order impugned, within a period of thirty (30) days from the date of receipt of a copy of this order and on such appeal being filed, the appellate authority is directed to dispose of the same in accordance with law, as expeditiously as possible. Till disposal of the appeal, the respondents are directed not to take any coercive steps against the petitioner. In case the petitioner fails to file the appeal as per the direction of this Court, the respondents are empowered to take appropriate action on the basis of the order impugned.

Accordingly, the writ petition is disposed of. No order as to costs.

Miscellaneous Petitions, pending if any, shall stand closed.

RAJA ELANGO, J

September 12, 2017

KTL

