

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.13129 of 2017

ORDER:

Heard Sri V.Ravi Kiran Rao for petitioners and the Assistant Government Pleader for Revenue for respondents 1 to 5.

The petitioners challenge Proceeding No.B/1475/2014 dated 20-02-2017 issued by the 4th respondent.

The 4th respondent purportedly by exercising the jurisdiction afresh, pursuant to order in Appeal No.G/273/2011 dated 07-02-2014, has passed the order impugned in the writ petition.

Learned counsel for petitioners does not dispute that the order impugned in the writ petition is an appealable order, but by reference to inherent lack of jurisdiction he tried to convince this Court on the maintainability of the writ petition.

After perusing the order dated 07-02-2014 of the 3rd respondent and the proceeding impugned in the writ petition, *prima facie* I am satisfied that bypassing the remedy of appeal, for the reasons stated in the affidavit, is not sustainable. Further, after looking at the order dated 20-02-2015 of the 4th respondent, this Court is of the view that the 3rd respondent being the appellate authority, examines the mode and manner in which the 4th respondent is exercising his power and jurisdiction in issues relating to Section 38-E of the A.P. (T.A.) Tenancy Act, 1950.

Therefore, the writ petition is disposed of by granting liberty to petitioners to avail the remedy of appeal before the 3rd respondent within four weeks from today. After perusing the material, this Court is satisfied that the parties are required to be directed to maintain status-quo in all aspects for a period of six weeks from today. The petitioners, if file a petition for stay or suspension of proceeding dated 20-02-2017 before the 3rd respondent, it is needless to mention that the 3rd respondent passes orders as are deemed fit and proper before the expiry of six weeks granted by this Court. The 3rd respondent is also directed to dispose of the appeal within three months from the date of filing of appeal.

The writ petition is disposed of accordingly. No order as to costs.

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

S. V. BHATT, J

Dt: 13-04-2017

Note:

Issue C.C. in three days

(B/o)

Prv

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