

HON'BLE SRI JUSTICE S.V. BHATT

W.P. No.3679 OF 2018

ORDER:

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

The petitioner prays for the following relief:

“...Writ of Mandamus, declaring the action of the respondents particularly 4th respondent in mutating the name of the 5th respondent in the revenue records with regard to the petitioner agricultural land situated in Sy. No. 180/A to an extent of Ac. 1.21 gts. of Julurupadu village and Mandal, Bhadradi, Kothagudem District without issuing any notice or furnishing any reasons is illegal, arbitrary and against the principles of natural justice and also violation of Articles 14, 19, 21 and 300-A of Constitution of India and consequently direct respondents 2 to 4 to remove the name of the 5th respondent from the revenue records immediately in the interest of justice”

The Assistant Government Pleader objects to the maintainability of writ petition on the ground that the petitioner has remedy of appeal or revision as the case may be as laid down by this Court in *RATNAMMA Vs. RDO, DHARMAVARAM*¹ and *KURUVA HANUMANTHAMMA Vs. STATE OF A.P.*² and without availing the remedy of appeal/revision, the instant writ petition is filed under Article 226 of the Constitution of India and the same is not maintainable.

¹ 2015 (6) ALD 609

² 2017 (6) ALT449

The counsel for petitioner does not dispute the availability of remedy of appeal or revision as laid down by this Court in decisions referred above.

Hence, the writ petition is disposed of by this order:

(a) The petitioner is given liberty to file appeal/revision within four weeks from today by enclosing a copy of this order.

(b) The appellate authority is directed to consider the appeal/revision and pass orders within three months from the date of filing of appeal/revision.

No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.



S.V.BHATT, J

Date:09.08.2018

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