

HON'BLE SRI JUSTICE S.V. BHATT

W.P. No.13784 OF 2018

ORDER:

Heard Mr.Butta Vijaya Bhaskar for petitioner and the Assistant Government Pleader for Revenue.

The petitioner prays for the following relief:

“...WRIT OF MANDAMUS, declaring action of the respondents No. 1 to 4 in not mutating the petitioner's name in IB register and concerned revenue records and in not issuing Pattadar Pass Book and Title Deed in respect of land in Sy. No. 50-1A to an extent of Ac. 1.26 cents and Sy. No. 50-1B to an extent of Ac. 1.04 cents (Total Ac. 2 30 cents) situated at Satharlapalli Village Puttaparti Mandal, Anantapuramu District at the instance of 5th respondent as illegal arbitrary, unjust and violative of Art 14 of the Constitution of India and consequently DIRECT the respondents to mutate the petitioner's name in IB register and other concerned revenue records and to issue Pattadar Pass Book and Title Deed to the petitioner in respect of land in Sy. No. 50-1A to an extent of Ac. 1.26 cents and Sy. No. 50-1B to an extent of Ac. 1.04 cents Total Ac. 2.30 cents)situated at Satharlapalli Village, Puttaparti Mandal, Anantapuramu District...”

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 filed the instant writ petition under Article 226 of the Constitution of India and the same is not maintainable.

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

¹ 2015 (6) ALD 609

² 2017 (6) ALT449

*RATNAMMA Vs. RDO, DHARMAVARAM and KURUVA
HANUMANTHAMMA Vs. STATE OF A.P.*

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

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

(b) The appellate authority is directed to consider the application filed for interim relief and pass orders within two months from the date of filing of appeal/interlocutory application by the petitioner.

(c) The parties are directed to maintain *status-quo* as regards physical features of subject matter of writ petition till the interlocutory application is heard and disposed of by the appellate authority.

(d) The appellate authority is further directed to dispose of the appeal/ revision within a period of six months from the date of receipt of a copy of this order.

No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

S.V.BHATT, J

Date: 21.06.2018
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