

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.25101 of 2018

ORDER:

Heard Mr.K.S.Gopalakrishnan for petitioner and the learned Assistant Government Pleader for Revenue.

The petitioner by taking extensive pains draws the attention of the Court to earlier round of litigation and a few orders which have bearing on the grounds raised against the order impugned in the writ petition. The petitioner prays for setting aside the proceedings dated 28.06.2017 of the 4th respondent.

The learned Assistant Government Pleader submits that assuming without admitting that the order impugned in the writ petition bristles with lot of illegalities or irregularities, the petitioner can work out the remedy under Section 9 of the A.P.Rights in Land and Pattadar Pass Books Act, 1971 (for short 'the Act'). According to Assistant Government Pleader, in view of the ratio laid down by this Court in ***Kuruva Hanumanthamma v. Principal Secretary, Revenue Department, Hyderabad And Another¹***, the 3rd respondent/Joint Collector is under obligation to exercise the jurisdiction of revision, by

¹ 2018 (1) ALD 290

adverting to all the grounds raised by the petitioner. Therefore, he prays for dismissing the writ petition and relegate the petitioner to work out the prayer by filing revision before the 3rd respondent.

I have perused the record and taken note of several grounds raised in fact and law against the order impugned in the writ petition.

This Court is of the view that by keeping the said alleged inconsistencies, while passing orders under the Act, this Court has granted jurisdiction as is conferred by the Section. The petitioner can work out all the grievances by filing revision within two (02) weeks from today by enclosing a copy of this order.

The 3rd respondent entertains revision and disposes of the revision by keeping the principle laid down by this Court, on the jurisdiction of the revisional authority in ***Kuruva Hanumanthamma's*** case. The revision is considered and disposed of within six (06) months from the date of receipt of copy of this order.

At the outset and to meet the ends of justice, this Court considers it appropriate to direct all the parties to maintain *status quo* in all aspects vis-à-vis the subject matter of the writ petition for a period of four (04) weeks.

The petitioner is given liberty to file interlocutory application before the revisional authority and obtain orders as are deserving on the merits of the case. No order as to costs.

Writ petition is accordingly disposed of. No order as to costs.

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

Date: 23.07.2018
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S. V. BHATT, J

