

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.25635 of 2018

ORDER:

Heard Mr.C.Subodh for petitioner and the learned Assistant Government Pleader for Revenue.

The petitioner prays for the following relief :-

“..... to issue a writ of mandamus or any other appropriate writ or direction declaring the action of the 4th respondent in issuing notice in Rc.B.1398/2018 dated 16.04.2018 and passing orders in RC.B.1398/2018 dated 25.06.2018 as illegal, arbitrary and one without jurisdiction and consequently set aside the same.....”.

Admittedly, the order under challenge is appealable.

Mr.C.Subodh tried to persuade this Court to entertain the writ petition.

After hearing Mr.C.Subodh for some time, this Court is of the view that consideration of petitioner's case at this stage may adversely affect the grounds, which the petitioner intends to raise against the order impugned in the writ petition in the appeal the petitioner proposes to file.

In the considered view of this Court, the remedy of appeal under the A.P.Assigned Lands (Prohibition of Transfers) Act, 1977 is an effective remedy and the petitioner ought to be relegated to work out the prayer by filing appeal before the Revenue Divisional Officer, Kavali-3rd respondent.

The writ petition is disposed of by this order.

(a) The petitioner is given three weeks time from today to file appeal before the 3rd respondent by enclosing a copy of this order.

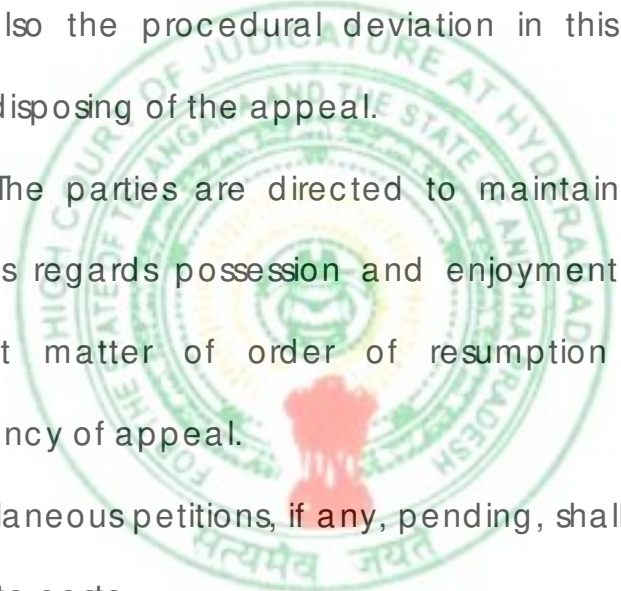
(b) The appellate authority considers and disposes of the appeal within four months thereafter and is further under obligation to refer to the grounds the petitioner raises against the maintainability of very complaint of 5th respondent and also the procedural deviation in this behalf while disposing of the appeal.

(c) The parties are directed to maintain *status-quo* as regards possession and enjoyment of the subject matter of order of resumption during pendency of appeal.

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

No order as to costs.

Dt: 24.07.2018
Prv


S. V. BHATT, J

