

HON'BLE SRI JUSTICE S.V.BHATT

W.P. No.26672 OF 2018

ORDER:

Heard Mr.Challa Sva Sanker for petitioner and the learned Assistant Government Pleader for Revenue.

The petitioner challenges Endorsement Rc.No.B.515/2018 dated 04.04.2018, as illegal, vitiated by *malafides* etc.

This Court after hearing the counsel and perusing the record is of the view that the petitioner can avail the remedy of revision before the Joint Collector under Section 9 of the R.O.R. Act and work out all the prayers in accordance with law. Mr.Challa Sva Sanker seeks time to file revision within six weeks from today.

Hence, the petitioner is given liberty to file revision within six weeks from today.

The learned counsel for petitioner draws the attention of the Court to the date of dispatch of order, place of dispatch and since when Mr.A.Balaganeshiah ceased to be the Tahsildar of Gonegandla Mandal, Kurnool District. From the above, he contends that the order impugned in the writ petition is a non-existing order.

The contentions at the first blush persuade the Court to consider the issue in its jurisdiction under Article 226 of the Constitution of India. In situations like this, if the allegations ultimately are established, judicial review against order assailed is not sufficient but further action, if any, on the commission or omission of an Officer can effectively be taken up by the District

Collector. Therefore, the revision is permitted to be filed as noted above before District Collector and the District Collector considers each one of the objections raised by petitioner and passes orders within three months from the date of filing revision. Circumstances, if warrant, takes further action as held by this Court in *Kuruva Hanumanthamma v. State of Andhra Pradesh*¹.

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

Miscellaneous petitions, pending if any, shall stand closed.

Date:31.07.2018
Sp



S.V.BHATT,J

¹ 2017 (6) ALT 449.