

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.28713 OF 2018

ORDER:

The present writ petition came to be filed seeking to declare the action of the 3rd respondent in not passing any orders in Appeal in Roc.No.B4/4780/2016, filed by the petitioners, despite the report submitted by the 4th respondent herein in Roc.239/2016 dated 10.4.2017, as illegal and arbitrary.

Though various grounds are raised in the writ affidavit, learned counsel for the petitioners submitted that the petitioners filed an appeal before the 3rd respondent for restoration of the name of Sri Veeranjanya Swamy temple in the revenue records on 10.04.2017, but, the 3rd respondent-Sub Collector did not pass any orders on the appeal for restoration of the entries in the revenue records.

Learned Government Pleader for Revenue submits that the appeal itself is not maintainable in view of the judgment of the Division Bench of this Court reported in **Ratnamma vs. Revenue Divisional Officer, Ananthapur District and others¹**.

Having regard to the facts and circumstances of the case and especially in view of the fact that the appeal filed by the petitioners is pending with the 3rd respondent-Sub Collector, it is just and proper to dispose of the writ petition itself directing the 3rd respondent-Sub Collector to consider and pass appropriate orders in the Appeal in Roc.No.B4/4780/2016 filed by the petitioners after giving the opportunity of hearing to all the concerned including the petitioners and the unofficial respondents herein and also with regard to the maintainability of the appeal itself, in accordance with law within a period of eight weeks from the date of receipt of copy of the order.

¹ 2015(5) ALT 228 (D.B)

With the above direction, the writ petition is disposed of. No order as to costs. As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand closed.

Dated:14.08.2018
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C. PRAVEEN KUMAR, J



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