

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.38025 of 2018

ORDER:

This writ petition is filed with the following prayer:

“.....to issue an appropriate Writ, Order or direction more particularly a Writ in the nature of Mandamus declaring the Legal Heir Certificate vide D.Dis.No.22/1466/1999, dated 08-06-1999 of the 4th respondent relating to the property in Sy.No.8 an extent Ac.3.16 guntas of Battupally Village of Kazipeta Mandal of Warangal (Urban) District, consequently the order vide Rc.No.B/850/2018, dated 06-10-2018 as illegal, arbitrary, contrary to the Provisions of the A.P.Rights in Land and Pattadar Pass Books Act, 1971 and consequently setting aside Legal Heir Certificate vide D.Dis.No.22/1466/1999, dated 08-06-1999, the order vide Rc.No.B/850/2018, dated 06-10-2018 of the 4th respondent by directing 4th respondent to cancel the Pattadar Pass Books and Title Deeds relating the property in Sy.No.8 an extent Ac.3.16 guntas of Battupally Village of Kazipeta Mandal of Warangal (Urban) District and pass order or orders as this Hon'ble Court may deem fit in the circumstances of the case.”

[Reproduced verbatim)

Heard both sides.

As can be seen from the record, the impugned order dated 06-10-2018 is passed in pursuance to the order passed in W.A.No.1147 of 2016, dated 11-07-2018, which according to learned counsel for the petitioner is not correct. Now learned counsel for the petitioner says that the petitioner is also challenging the legal heir certificate dated 08-06-1999 issued by 4th respondent, which was not challenged earlier either in WP.No.17220 of 2016 or in W.A.No.1147 of 2016. Admittedly

the petitioner has alternative remedy of appeal against the impugned order passed by the 4th respondent before the 3rd respondent-Revenue Divisional officer and learned counsel for the petitioner can raise all his objections before the 3rd respondent.

In view of the same, since the petitioner has alternative remedy of appeal against the order dated 06-10-2018 passed by the 4th respondent, this Court is not inclined to entertain the writ petition and accordingly, the same is dismissed. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

29-10-2018
Nvl

A.RAJASHEKER REDDY,J



