

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.41359 of 2018

ORDER:

This Writ Petition is filed challenging the proceedings of the 4th respondent dated 12.01.2018 and consequential proceedings of the 3rd respondent dated 01.08.2018 and consequently seeks to set aside the same.

Heard learned counsel for the petitioners, who submits that without following procedure laid under the Act, impugned order is passed.

Learned Assistant Government Pleader for revenue appearing for respondents submits that petitioners have alternate remedy against impugned order.

Though it is contended that impugned proceedings are issued without notice, one of the petitioner's husband attended enquiry and gave statement. Admittedly, petitioners have alternative remedy of appeal against impugned proceedings of the respondents 3 & 4. Though, it is stated that petitioners have made representation dated 20.07.2018 to the 2nd respondent, learned Assistant Government Pleader for respondents submits that petitioners have to file appeal in prescribed format by making affected parties to appeal. Even the learned counsel for the petitioners could not dispute the fact that the subject house is in the name of 6th respondent and she is mother-in-law of the petitioners.

In view of above facts and circumstances, since the petitioners have efficacious alternative remedy, this Court is not inclined to entertain the Writ Petition by exercising extraordinary equitable jurisdiction under Article 226 of the Constitution of India and same is accordingly dismissed. However, it is open for the petitioners to avail alternative remedies available to them under law, if they are so advised.

There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

19-11-2018
kvs



A.RAJASHEKER REDDY,J

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