

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER  
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE N.V. RAMANA**

**WRIT PETITION NO : 25104 of 2004**

Between:

- 1 Jogipeta Bagaiah, S/o. Bhoomaiah,  
R/o. Jogipet Village, Andole Mandal, Medak District.
- 2 K. Srinivas, S/o. Late Kistaiah,  
R/o. Jogipet Village, Andole Mandal, Medak District.
- 3 K. Ramulu, S/o. Balaiah,  
R/o. Jogipet Village, Andole Mandal, Medak District.
- 4 R.K. Beeraiah, @ R.K. Beerappa, S/o. Balaiah, @ Balappa,  
R/o. Jogipet Village, Andole Mandal, Medak District.
- 5 Bala Mallaiah, S/o. Balaiah,  
R/o. Jogipet Village, Andole Mandal, Medak District.

**.... PETITIONERS**

AND

- 1 The District Collector, Medak District, Sanga Reddy.
- 2 The Revenue Divisional Officer, Medak District, Sanga Reddy.
- 3 The Mandal Revenue Officer, Pulkal Mandal, Medak District.

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue writ order or direction one in the nature of writ of Certiorari calling for the records relating to the proceedings No.B/61/97, dated. 03.11.2004 issued by the 3rd respondent and quash the same as illegal arbitrary, unreasonable, unjustified and contrary to article 14 of constitution of India and pass such other order or orders, as this Hon'ble Court may deem fit and proper in the circumstances of the case.

**For the Petitioners: MR.M.RATNA REDDY, Advocate**

**For the Respondents: GP FOR REVENUE**

**The Court at the stage of admission made the following:**

-

**ORDER:**

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue and with their consent the writ petition itself is disposed of at the stage of admission.

The petitioners seek to challenge the proceedings No.B/61/97, dated 03-11-2004 issued by the third respondent-Mandal Revenue Officer ordering resumption of the Government lands assigned to the petitioner Nos.1, 3, 4, 5 and father of 2<sup>nd</sup> petitioner in Survey No.1576 admeasuring Ac.5-00 and in Survey No.1619 to an extent of Ac.8-25 cents situated at Chowtakur village, Pulkal Mandal of Medak District, on the ground of violation of assignment conditions, as illegal and arbitrary.

The learned Government Pleader for Revenue appearing on behalf of the respondents submits that there is an alternative remedy of appeal available to the petitioners before the Joint Collector against the impugned order passed by the third respondent-Mandal Revenue Officer and the petitioner without exhausting the appeal remedy, approached this Court invoking the jurisdiction under Article 226 of the Constitution of India.

Having regard to the fact that the petitioners have alternative remedy by way of appeal before the Joint Collector, it is open to them to avail the alternative remedy of appeal before the Joint Collector within four weeks from today. Till such time, status quo existing as on today shall be maintained.

The writ petition is disposed of accordingly at the stage of admission.

---

**N.V. RAMANA, J**

**Date: 31-12-2004**

Svv

To

- 1 The District Collector, Medak District, Sanga Reddy.
- 2 The Revenue Divisional Officer, Medak District, Sanga Reddy.
- 3 The Mandal Revenue Officer, Pulkal Mandal, Medak District.
- 4 Two C.Cs to the Government Pleader for Revenue, High Court Buildings,  
A.P.,Hyderabad (OUT).
5. Two C.D.copies.