
(2017) 09 AP CK 0030
In the Andhra Pradesh High Court
Case No : 30891 of 2017

Vatumalli Laxmi Prasanna

APPELLANT

Vs

The State of Telangana

RESPONDENT

Date of Decision : 21-09-2017

Acts Referred:

Transfer of Property Act, 1882, Section 126 - When gift may be suspended or revoked
Registration Act, 1908, Section 35, Section 19, S

Citation : (2017) 09 AP CK 0030

Hon'ble Judges : P.Naveen Rao

Bench : SINGLE BENCH

Advocate : Y V Ravi Prasad

Final Decision : Disposed oFF

Judgement

1. In these three writ petitions, petitioners challenge the registration of deed of cancellation dated 16.08.2017 by the Joint Sub-Registrar-I, Sangareddy, canceling the sale deeds registered in the year 2007. As the issue raised in all the three writ petitions is common, these writ petitions are considered and decided by this common order.

2. According to petitioners, their vendors are the original inamdars of inam land. It is further case of the petitioners that on introduction of the Andhra Pradesh Land Reforms (Ceiling On Agricultural Holdings) Act, 1973 (Act, 1973), petitioners vendors filed declarations under Section 9 of the Act, 1973. Thereon detailed enquiry was conducted and the primary authority held that the declarants are entitled to retainable standard holdings of 11.0674 and they are liable to surrender 7.0674 standard holding. According to the petitioners, the vendors of the petitioners were entitled to four standard holdings. On appeal preferred by the vendors, the appeal was rejected by order dated 23.08.1993, confirming the primary authority decision. On challenge before this Court, matter

was remitted to the primary authority. On such remittance, till date no further decision is made. In substance, it is the case of the petitioners that the vendors of the petitioners were holding valid title and interest in the property and on purchase of the subject property made by the petitioners, title had validly passed on to them from their vendors in the year 2007 and they have been in possession and enjoyment of the property purchased by them. It is further case of the petitioners that though initially land was un-surveyed, but subsequently surveyed and denoted as Sy.Nos.1050, 1051 and 1052. Petitioners were issued pattadar pass books and title deeds. When petitioners approached the Sub-Registrar in the first week of September, 2017 to know the basic register value and the stamp duty payable, petitioners came to know that the documents are not being entertained for registration on the ground that deed of cancellation of sale made in the year 2007 was presented by the Tahsildar, Kandi Mandal, and the same was registered on 16.08.2017. The registration of which document is under challenge in these writ petitions.

3. Extensive submissions were made by the learned counsel for petitioners, lead by senior counsel Sri Y.V.Ravi Prasad appearing for counsel for petitioners in W.P.No.31036 of 2017. The first and foremost submission raised by the learned counsel is that in view of decision of the Supreme Court in Thota Ganga Laxmi and another v. Government of Andhra Pradesh and others and in view of the provision contained in Rule 26 (i)(k) of A.P.Registration Rules, 1960 (Rules, 1960), it is not permissible for the Registrar to register unilateral cancellation deed of the earlier deed of sale, more so by a third party to the transaction. It is further contended that at any rate registration of such unilateral cancellation deed after ten years is not permissible in law. It is further case of learned counsel that petitioners have purchased in a valid sale transaction and title was validly vested in the vendors and passed on to petitioners and third party to the deed of conveyance registered before the registering authority cannot cancel the said deed of sale and thus, the decision of the registering authority to accept and cancel such deed of cancellation is ex facie illegal and amounts to arbitrary exercise of power.

4. Learned counsel also made extensive submissions on merits of the issue.

5. However, learned Government Pleader raised preliminary objection on maintainability of writ petitions. According to the learned Government Pleader, an effective and efficacious remedy is available to the aggrieved parties under Section 31 of the Specific Relief Act and when such effective and efficacious civil law remedy is available, writ petitions are not maintainable and on that ground, writ petitions are liable to be dismissed. Learned Government Pleader further contended that the decision rendered by the Supreme Court in Thota Ganga Laxmi (supra) has no application to the facts of these cases in view of the specific provision contained in the form of proviso appended to Rule 26(i)(k)(i) of the Rules, 1960 and, therefore, question of prior notice and opportunity to the parties to the earlier deed of sale does not arise. It is not open to the petitioners

to assail the decision of the registering authority to register the document presented by the Tahsildar on the ground that unilateral cancellation is not permissible, in the writ petitions filed under Article 226 of the Constitution of India. In support of the said contention, learned Government Pleader placed reliance on recent decision of the learned single Judge of this Court in P.Veda Kumari and others v. The Sub-Registrar, Banjara Hills, Hyderabad and others .

6. Learned Government Pleader also contended that even on merits, there was no valid title vested in the vendors of the petitioners and the concerned properties vest in the State and third parties to the land have no manner of right or title to undertake sale and, therefore, the sale transaction between the petitioners and their vendors was sham transaction and has no legal validity.

7. Learned senior counsel and learned counsel for petitioners would submit that it is not competent for Tahsildar to register deed of cancellation on behalf of State. Further, as such cancellation was effected without prior notice and opportunity and in an arbitrary exercise of power and authority, it is liable to be set aside on these grounds and, therefore, writ petitions are maintainable. Civil law remedy is available only if a contest is made on merits.

8. The registering authority exercises power of registration of documents presented before him in accordance with the provisions contained in Indian Registration Act, 1908 and the Rules, 1960. Rule 26 prescribes guidelines for registering authority to process documents presented before him. For the purpose of these cases it is suffice to note few of the instances mentioned therein. They read as under: Rule 26. (i) Every document shall, before acceptance for registration, be examined by the Registering Officer to ensure that all the requirements prescribed in the Act and in these rules have been complied with, for instance:

(a) that it has been presented in the proper office (Sections 28, 29, and 30); (b) that the person is entitled to present it (Sections 32 and 40);

xxxxx (k) (i) The registering officer shall ensure at the time of presentation for registration of cancellation deeds of previously registered deed of conveyances on sale before him, that such cancellation deeds are executed by all the executant and claimant parties to the previously registered conveyance on sale and that such cancellation deed is accompanied by a declaration showing mutual consent or orders of a competent Civil or High Court or State or Central Government annulling the transaction contained in the previously registered deed of conveyance on sale; Provided that the registering officer shall dispense with the execution of cancellation deeds by executant and claimant parties to the previously registered deeds of conveyance on sale before him if the cancellation deed is executed by a Civil Judge or a Government Officer competent to execute Government orders declaring the properties contained in the previously registered conveyance on sale to be Government or Assigned or Endowment lands or properties not registerable by any provision of law.

9. Rule 26 (i)(k) was introduced by way of amendment made in the year 2006, after the Full Bench judgment in Yanala Malleshwari v. Ananthula Sayamma . Sub-Rule (k)(i) mandates that the registering officer should ensure at the time of presentation for registration of the cancellation deeds of previously registered deeds of conveyance, that such cancellation deed should be executed by all the executants and claimant parties to the previously registered conveyance on sale and should be accompanied by declaration of mutual consent or orders of the competent Court. In several decisions, this Court held that in view of amendment to Rule 26 and introduction of Rule 26(i)(k) registration of unilateral cancellation of earlier deed of conveyance is not permissible in law. This issue was considered by Supreme Court in Thota Ganga Laxmi (supra). Supreme Court held as under:

4. In our opinion, there was no need for the appellants to approach the civil court as the said cancellation deed dated 4-8-2005 as well as registration of the same was wholly void and non est and can be ignored altogether. For illustration, if A transfers a piece of land to B by a registered sale deed, then, if it is not disputed that A had the title to the land, that title passes to B on the registration of the sale deed (retrospectively from the date of the execution of the same) and B then becomes the owner of the land. If A wants to subsequently get that sale deed cancelled, he has to file a civil suit for cancellation or else he can request B to sell the land back to A but by no stretch of imagination, can a cancellation deed be executed or registered. This is unheard of in law.

5. In this connection, we may also refer to Rule 26(k)(i) relating to Andhra Pradesh under Section 69 of the Registration Act, 1908, which states:

(i) The registering officer shall ensure at the time of preparation for registration of cancellation deeds of previously registered deed of conveyances on sale before him that such cancellation deeds are executed by all the executant and claimant parties to the previously registered conveyance on sale and that such cancellation deed is accompanied by a declaration showing natural consent or orders of a competent Civil or High Court or State or Central Government annulling the transaction contained in the previously registered deed of conveyance on sale:

Provided that the registering officer shall dispense with the execution of cancellation deeds by executant and claimant parties to the previously registered deeds of conveyances on sale before him if the cancellation deed is executed by a Civil Judge or a government officer competent to execute government orders declaring the properties contained in the previously registered conveyance on sale to be government or assigned or endowment lands or properties not registerable by any provision of law.

A reading of the above Rule also supports the observations we have made above. It is only when a sale deed is cancelled by a competent court that the cancellation deed can be registered and that too after notice to the parties concerned. In this case, neither is there any declaration by a competent court nor was there any notice to the parties. Hence, this Rule also makes it clear that

both the cancellation deed as well as registration thereof were wholly void and non est and meaningless transactions.

10. Doubting the view taken in Thota Ganga Laxmi, matter was referred to bench of three judges. Bench of three judges of Supreme Court in Satya Pal Anand Vs. State of Madhya Pradesh and others extensively considered the issue including the view taken in Thota Ganga Laxmi. From the discussion and the conclusions arrived at by the Honble Supreme Court in Satya Pal Anand, it is clear that in the absence of provision similar to one in Rule 26 (i) (k)(i) of the Rules, 1960, registration of unilateral cancellation of deed of conveyance earlier registered is permissible. Supreme Court also held that decision made by the registering authorities under the Registration Act cannot be classified as made in exercise of quasi-judicial function and are to be treated as administrative decisions. It is held that an aggrieved party has to work out his remedies as available in law, more particularly with reference to provision in Section 31 of the Specific Relief Act.

11. Supreme Court held as under: 34. The role of the Sub-Registrar (Registration) stands discharged, once the document is registered (see Raja Mohammad Amir Ahmad Khan [State of U.P. v. Raja Mohammad Amir Ahmad Khan, AIR 1961 SC 787]). Section 17 of the 1908 Act deals with documents which require compulsory registration. Extinguishment deed is one such document referred to in Section 17(1)(b). Section 18 of the same Act deals with documents, registration whereof is optional. Section 20 of the Act deals with documents containing interlineations, blanks, erasures or alterations. Section 21 provides for description of property and maps or plans and Section 22 deals with the description of houses and land by reference to government maps and surveys. There is no express provision in the 1908 Act which empowers the Registrar to recall such registration. The fact whether the document was properly presented for registration cannot be reopened by the Registrar after its registration. The power to cancel the registration is a substantive matter. In absence of any express provision in that behalf, it is not open to assume that the Sub-Registrar (Registration) would be competent to cancel the registration of the documents in question. Similarly, the power of the Inspector General is limited to do superintendence of Registration Offices and make rules in that behalf. Even the Inspector General has no power to cancel the registration of any document which has already been registered. 36. If the document is required to be compulsorily registered, but while doing so some irregularity creeps in, that, by itself, cannot result in a fraudulent action of the State Authority. Non- presence of the other party to the extinguishment deed presented by the Society before the Registering Officer by no standard can be said to be a fraudulent action per se. The fact whether that was done deceitfully to cause loss and harm to the other party to the deed, is a question of fact which must be pleaded and proved by the party making such allegation. That fact cannot be presumed. Suffice it to observe that since the provisions in the 1908 Act enables the Registering Officer to register the documents presented for registration by one party and execution thereof to be admitted or denied by the other party thereafter, it is unfathomable

as to how the registration of the document by following procedure specified in the 1908 Act can be said to be fraudulent. As aforementioned, some irregularity in the procedure committed during the registration process would not lead to a fraudulent execution and registration of the document, but a case of mere irregularity. In either case, the party aggrieved by such registration of document is free to challenge its validity before the civil court.

40. The Andhra Pradesh High Court, in Yanala Malleshwari [Yanala Malleshwari v. Ananthula Sayamma, AIR 2007 AP 57 : 2006 SCC OnLine AP 909] was called upon to consider whether a person can nullify the sale by executing and registering a cancellation deed and whether the Registering Officer like District Registrar and/or Sub-Registrar appointed by the State Government is bound to refuse registration when a cancellation deed is presented. The fact remains that if the stipulation contained in Sections 17 and 18 of the 1908 Act are fulfilled, the Registering Officer is bound to register the document. The Registering Officer can refuse to register a document only in situations mentioned in sections such as Sections 19 to 22, 32 and 35. At the same time, once the document is registered, it is not open to the Registering Officer to cancel that registration even if his attention is invited to some irregularity committed during the registration of the document. The aggrieved party can challenge the registration and validity of the document before the civil court. The majority view of the Full Bench was that if a person is aggrieved by the extinguishment deed or its registration, his remedy is to seek appropriate relief in the civil court and a writ petition is not the proper remedy.

41. Section 35 of the Act does not confer a quasi-judicial power on the Registering Authority. The Registering Officer is expected to reassure that the document to be registered is accompanied by supporting documents. He is not expected to evaluate the title or irregularity in the document as such. The examination to be done by him is incidental, to ascertain that there is no violation of provisions of the 1908 Act. In Park View Enterprises [Park View Enterprises v. State of T.N., AIR 1990 Mad 251 : 1989 SCC OnLine Mad 273] it has been observed that the function of the Registering Officer is purely administrative and not quasi-judicial. He cannot decide as to whether a document presented for registration is executed by person having title, as mentioned in the instrument. We agree with that exposition.

43. No provision in the State of Madhya Pradesh enactment or the Rules framed under Section 69 of the 1908 Act has been brought to our notice which is similar to the provision in Rule 26(k)(i) of the Andhra Pradesh Registration Rules framed in exercise of power under Section 69 of the 1908 Act. That being a procedural matter must be expressly provided in the Act or the Rules applicable to the State concerned. In absence of such an express provision, the registration of extinguishment deed in question cannot be labelled as fraudulent or nullity in law. As aforesaid, there is nothing in Section 34 of the 1908 Act which obligates appearance of the other party at the time of presentation of extinguishment deed

for registration, so as to declare that such registration of document to be null and void. The error of the Registering Officer, if any, must be regarded as error of procedure. Section 87 of the 1908 Act postulates that nothing done in good faith by the Registering Officer pursuant to the Act, shall be deemed invalid merely by reason of any defect in the procedure. In the present case, the subject extinguishment deed was presented by the person duly authorised by the Society and was registered by the Registering Officer. Once the document is registered, it is not open to any Authority, under the 1908 Act to cancel the registration. The remedy of appeal provided under the 1908 Act, in Part XII, in particular Section 72, is limited to the inaction or refusal by the Registering Officer to register a document. The power conferred on the Registrar by virtue of Section 68 cannot be invoked to cancel the registration of documents already registered.

46. In our considered view, the decision in *Thota Ganga Laxmi [Thota Ganga Laxmi v. State of A.P., (2010) 15 SCC 207 : (2013) 1 SCC (Civ) 1063]* was dealing with an express provision, as applicable to the State of Andhra Pradesh and in particular with regard to the registration of an extinguishment deed. In absence of such an express provision, in other State legislations, the Registering Officer would be governed by the provisions in the 1908 Act. Going by the said provisions, there is nothing to indicate that the Registering Officer is required to undertake a quasi-judicial enquiry regarding the veracity of the factual position stated in the document presented for registration or its legality, if the tenor of the document suggests that it requires to be registered. The validity of such registered document can, indeed, be put in issue before a court of competent jurisdiction. (emphasis supplied)

12. At this stage it is appropriate to note the observations of Justice V.V.S. Rao, as he then was in *Yanala Malleshwari (supra)*, which reads as under: 67. Therefore, when the provisions of the Registration Act and Registration Rules elaborately deal with the circumstances and situations when the registering officer has to accept and register the documents, and/or as to when registering officers has to reject the documents for registration, it is not possible to hold as a general rule that whenever a cancellation deed is submitted, the registering officer is bound to reject the acceptance and registration of the same. Such interpretation would render Section 126 of TP Act (which enables the donor of a gift to cancel/revoke the same) ineffective. Secondly, there could be unimaginable number of circumstances when the executant himself on his own volition comes before the registering officer and desires to cancel the earlier document. As already pointed out *supra*, under Section 23-A of the Registration Act, the registering officer can re-register a document totally ignoring the earlier registration. Furthermore, under Schedule 1-A to the Indian Stamp Act as amended by the Stamp (A.P. Amendment) Act, 1922, cancellation deed is one of the legal documents recognized in law and a transaction for transfer of immovable property, is no exception.

78. The person, who has *ex facie* right whether such right is registered or not

can always approach the registering authority, with a request to cancel a sale deed, which was registered earlier by such registering authority by showing that subsequent registration was obtained by fraud by a person who is not entitled to transfer the property or that such transfer was registered by playing fraud on the owner or on the stranger. In the present statutory dispensation, namely Transfer of Property Act, Contract Act, Specific Relief Act and Registration Act, the Court does not see any prohibition operating on the exercise of inherent power by the registering authority to cancel the sale deed earlier registered, which is likely to cause prejudice to the true owner as well as to the entire public at large.

87. Apart from the limitations pointed out by the Supreme Court, the power of judicial review is not available when there is an effective alternative remedy to the aggrieved person. When granting redressal involves adjudication of disputed questions of facts, which require adducing of evidence by the parties, then also ordinarily an application for a judicial review is not accepted. See *Whirlpool Corporation v. Registrar of Trade Marks*, AIR 1999 SC 2 2. There is justification for the principle. Clive Lewis in *Judicial Remedies in Public Law* (first edition 1992, Sweet & Maxwell, pp. 229 and 230, explained the rationale for the principle as under. The rationale for the exhaustion of remedies principle is relevant to the scope of that principle. A twofold justification has been put forward. First, that where Parliament has provided for a statutory appeals procedure, it is not for the Courts to usurp the functions of the appellate body. The principle applies equally to bodies not created by statute which have their own appellate system. Secondly, the public interest dictates that judicial review should be exercised speedily, and to that end it is necessary to limit the number of case in which Judicial review is used. To these reasons can be added the additional expertise that the appellate bodies possess. In tax cases, for example, the appellate body, the General or Special Commissioners, have wide experience of the complex and detailed tax legislation. In employment cases, for example, the system of Industrial and Employment Appeal Tribunals may be better equipped to deal with industrial issues than the High Court. (emphasis supplied)

13. In view of this judgment, Rule 26 was amended and sub-rule (i) (k) was introduced vide notification dated 29.11.2006. By this amendment an exception was also carved out in the form of proviso. After formation of State of Telangana, Rule 26 (i)(k)(i) underwent further amendment. However, proviso is retained as it stood earlier. The amended provision as it stands now reads as under: (k) That the cancellation deed of the previously registered deed of conveyance on sale of immovable property is executed by both the executing and the claiming parties thereof unless such Cancellation Deed is executed under the orders of a competent Court or under Rule 243.

14. Proviso appended to Rule 26(i)(k)(i) of the Rules, 1960 carves out exception to the requirements in main provision. According to this proviso prior consent and presence of all parties to previously registered document made need not be present and an authorized officer on behalf of State can unilaterally present deed

of cancellation. It is thus clear that after the judgment of Yanala Malleshwari (supra) though Rule 26 is amended by introducing Rule 26(i)(k), its scope is limited to parties to the document other than State and has no application to presentation of document of unilateral cancellation of earlier sale deed by State. At this stage, it is appropriate to note that the deed of cancellation registered by the Sub-Registrar, impugned in these writ petitions, is made in invoking proviso appended to Rule 26 (i) (k)(i) of the Rules.

15. In the cases on hand, it is also appropriate to note that what is assailed in the writ petitions is the registration of the document - Deed of Cancellation of Sale Deed bearing document Nos.17067 of 2017, 17073 of 2017 and 17069 of 2017, respectively, presented by the Tahsildar canceling the earlier sale deed bearing document nos.11955 of 2007, 11886 of 2007 and 14065 of 2007, respectively. There is no challenge to the proviso appended to Rule 26 (i)(k)(i) of the Rules, 1960. As held by Supreme Court in Satya Pal Anand in the absence of express provision unilateral registration of extinguishment deed cannot be faulted. In fact, proviso restricts the application of main provision. Thus, Rule 26 (i) (k) (i) read with proviso would make it clear that no prior notice is required nor presence of all parties to earlier deed of conveyance is required to accept deed of cancellation presented on behalf of State. The legislative intendment is also very clear by incorporating the proviso. The States power to unilaterally cancel the previously registered sale deed is preserved and in such situations the view expressed by majority of the Full Bench in Yanala Malleswari holds. The issue in these writ petitions is not similar to the issue considered by Supreme Court in Thota Ganga Laxmi.

16. The decision of Registering Authority impugned herein can neither be termed as without jurisdiction and competence nor can be called as amounting to fraudulent exercise of power. Once a decision is made it is irreversible.

17. It is also appropriate to note that the executant declares that he is authorized to cancel the documents registered at Registration Office, Sangareddy. Proviso appended to Rule 26 (i)(k)(i) only requires presentation of document by competent Government Officer. He is the primary authority in the revenue hierarchy entrusted with the responsibility of protecting Government property. It cannot also be said that responsible officer would make a false declaration. Even otherwise, it is between him and the Government and no third party can have a say on Tahsildars competence to represent. Further, he is only protecting the interest of Government by canceling deeds of conveyance made by private parties on public properties. It is not the case of petitioners that action of Tahsildar is actuated by mala fides or personal bias. The Tahsildar sought to justify his action by referring to a decision taken by Joint Collector dated 25.07.2017 setting aside patta granted by Revenue Divisional Officer, Sangareddy, dated 16.06.1978. Justification shown therein and the reasons assigned therein can be agitated by petitioners in appropriate proceedings. Be it noted that his action cannot be termed as amounting to patently illegal exercise

of power, even assuming that such a window of opportunity is available to petitioners to maintain the writ petition, while asserting the decision of registering authority in registering the unilateral cancellation of earlier sale deed.

18. Unilateral cancellation of gift settlement deed/sale deed earlier registered by a party to such deed has come up for consideration before this Court in batch of writ petitions (P.Veda Kumari). In support of prayer to set aside such unilateral cancellation deed heavy reliance was placed on Thota Ganga Laxmi. Learned single Judge has extensively considered the similar contentions as urged in these writ petitions. This unilateral cancellation was directly against the provision in Rule 26(i)(k)(i) of the Rules, 1960. Following the judgment of the Supreme Court in Satya Pal Anand (supra), learned single judge held that writ petition under Article 226 of the Constitution of India is not maintainable and aggrieved party has to work out his civil law remedies.

19. On the scope of alternative remedy and status of registering authority under the Registration Act, learned single Judge of this Court in P.Veda Kumari (supra) held as under: 29. The facts in these cases are not adverted to as the writ petitions are considered and disposed on the point of law only. Even it is assumed that the action of the registering authority was accentuated by fraud, it has to be proved by specific averments and no such averment is made in these writ petitions and fraud cannot be assumed from a mere registration of a document by the registering authority as observed by the Supreme Court.

30. At the cost of repetition, it is held that the act of the Registering Authority is only an administrative act and it has no option except to register a document, which was validly presented. The document may be valid at the time of presentation but is required to comply with the Rules at the time of registration and if he violated Rule 26(k) of the Rules, it can be definitely said that he committed procedural irregularity. It is well established rule of administrative law that an authority, which is vested with power, may exercise it rightly or wrongly, but this Court while exercising the power of judicial review, subject to its limitations, would interfere with such actions and one of such limitations for exercising judicial review is availability of alternative remedy and the discharge of public law duty. Merely because the respondent is a State under Article 12, this Court cannot interfere as held by the Supreme Court in Joshi Technologies International INC v. Union of India. Thus, in order to exercise jurisdiction by this Court, the action of the statutory authorities must be without any alternative authority and in discharge of public law duty. Both of these are absent in the case of execution of deeds of cancellation as no public law duty is involved and Section 31 of the Specific Relief Act gives the relief. Merely because Thota Ganga Laxmis case (supra) reverses the order of this Court dismissing the writ petition relating to cancellation of registration of cancellation of sale deed, it does not follow that the writ petition is maintainable in view of the observations made by three-Judge Bench of Supreme Court in Satya Pal Anands case (supra). (emphasis supplied)

20. In the cases on hand, as noted above, proviso appended to Rule 26(i)(k)(i) of the Rules, 1960, clearly vests power in the competent authority to present deed of cancellation of earlier deed of conveyance on behalf of State and proviso does not envisage prior notice. Once the deed is presented for registration and complies all requirements, registering authority has no competence to refuse registration of such document. In the cases on hand once power to register unilateral deed of cancellation of earlier registered sale deed is held valid the aggrieved parties have to avail the civil law remedies as available to them. Further, the narration of facts would disclose that there appears to be a dispute between State and vendor of the petitioners/petitioners and such disputes require adducing of evidence which cannot be undertaken in exercise of power of judicial review. That being so, following the view expressed by the learned single Judge of this Court in P.Veda Kumari and in the peculiar facts of these cases also, writ petitions are not maintainable and are liable to be dismissed in limini, leaving it open to the petitioners to work out their remedies as available in law. Be it noted that in the majority view expressed in Yanala Malleshwari it is held that judicial review is not available when there is effective alternative remedy and this view was noted by the Supreme Court in Satya Pal Anand.

21. Writ petitions are accordingly dismissed. There shall be no order as to costs. Miscellaneous petitions, if any, pending in these writ petitions shall stand closed.