

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA

PRADESH
(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF JULY
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.19611 of 2015

BETWEEN

Mandala Ramulamma and others

... PETITIONERS

AND

The District Collector, Ranga Reddy District, Lakdikapul, Hyderabad and
others

...RESPONDENTS

The Court made the following:

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ORDER:-

Heard.

2. Petitioners question the Occupancy Rights Certificate (ORC) granted to one T.Balakrishna Reddy and the entries made in the revenue records showing the names of respondent Nos.5 to 8, who are stated to be the legal heirs of said Balakrishna Reddy. Petitioners now state that the ORC was granted in favour of said Balakrishna Reddy on 19.02.1982 by the Revenue Divisional Officer (RDO), Hyderabad East Division. It is stated that the father of the petitioners i.e., late yettaiah was granted certificate of ownership under

Section 38-E of the Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950, as early as on 20.03.1975 for the entire extent of Ac.19-16 guntas in survey Nos.53 to 56 of Jeedimetla Village, Qutbullapur Mandal, Ranga Reddy District. It is stated that the impugned order was passed without notice to the petitioners and that the entries in the revenue records were consequently made by striking out the names of the petitioners from the records.

3. Learned counsel for the petitioners has only filed the ORC dated 19.02.1982, but not the detailed order that the RDO passed while granting the said Certificate. Even otherwise, said order is clearly appealable under Section 24 of the Act and the appellate authority has power to condone the delay on satisfaction of sufficient cause. Though the petitioners are not aware of the said order, even then since they have an efficacious alternative remedy, this writ petition cannot be considered directly against the order of the primary authority. Petitioners are, therefore, at liberty to avail the said alternative remedy and seek appropriate relief.

With the liberty aforesaid, writ petition is dismissed. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

July 1, 2015
LMV