

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

* * *

WRIT PETITION No. 28294 of 2015

BETWEEN

Koduganti @ Kodavaganti Seetharama Sastry

... PETITIONERS

AND

The State of Telangana, Rep. by its Principal Secretary,
Revenue Department and others

...RESPONDENTS

Date of Order pronounced: 02.09.2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals? | Yes/No |
| 3. Whether his Lordship wish to see the
fair copy of the Judgment? | Yes/No |

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ORDER:-

Heard.

2. Petitioner is aggrieved by the order passed by the Revenue Divisional Officer (RDO), third respondent, wherein petitioner's application for grant of Occupancy Rights Certificate (ORC) was rejected and the similar application of respondent Nos.5 and 6 was allowed.

3. Learned counsel for the petitioner states that the said order does not take into consideration the title of the petitioner and HIS possession from their forefathers and straight away ORC is given to respondent Nos.5 and 6. The correctness of the said order of RDO is accordingly questioned.

4. Evidently, the RDO is the primary authority under the A.P. (Telangana Area) Abolition of Inams Act, 1955 and against every order of the primary authority an appeal is provided under Section 24 of the Act. Petitioner, therefore, has an efficacious alternative remedy of questioning the correctness or otherwise of the said order and the appellate authority is entitled to go into all the questions in view of the vide jurisdiction conferred on the appellate authority. To enable the petitioner to avail the said appellate remedy and seek appropriate orders from the appellate authority, the impugned order shall remain stayed for a period of two weeks, within which petitioner is at liberty to move the appellate authority and seek appropriate orders.

With the liberty aforesaid, writ petition is disposed of.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

September 2, 2015

LMV