

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 17080 of 2015

Date: 16.06.2015

Between:

Smt. Dahegama Bayamma and two others.

.... Petitioners

And

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

... Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 17080 of 2015

ORDER:

This Writ Petition is filed assailing the order dated 06.06.2015 passed by the Revenue Divisional Officer, Mancherial, Adilabad District, in exercise of powers under Section 4 of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977. This order is appealable but the petitioner has chosen to challenge it by way of this Writ Petition.

This Court is of the opinion that statutory remedies should not be circumvented by permitting a litigant to approach this Court directly by way of a Writ Petition.

Sri Vedula Srinivas, learned counsel for the petitioners, would however contend that the respondent authorities are seeking to act upon the order under challenge even though the period provided by the statute for instituting an appeal thereagainst is yet to expire.

It is not open to the authorities to implement an order which is yet to attain finality in terms of the expiry of the time allowed under the statute for filing an appeal.

The respondent authorities shall therefore not give effect to the order under challenge till the expiry of the time allowed for filing an appeal thereagainst or till the passing of an appropriate order by the appellate authority, whichever is earlier.

The Writ Petition is accordingly disposed of.

Pending Miscellaneous Petitions shall stand closed in the light of this final order. No costs.

SANJAY KUMAR, J

Date: 16.06.2015

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