

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.19437 of 2015

BETWEEN

B.Narayana

... PETITIONER

AND

The State of Telangana, Rep. by its Principal Secretary (Department of Revenue), A.P. Secretariat Building, Hyderabad and others.

...RESPONDENTS

The Court made the following:

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ORDER:-

Heard.

2. Petitioner questions order of the Mandal Revenue Officer, respondent No.4, in rejecting his application under Section 40 of the Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950. Said order gives various findings against the petitioner including that they had surrendered the protected tenants and, as such, not entitled to claim relief under Section 40.

3. Though the present writ petition is filed questioning the said order, I am not inclined to entertain the writ petition as the order is clearly appealable and the Joint Collector, who is the appellate authority, can very well examine all the contentions of the petitioner if a proper appeal is filed. Thus, by-passing the efficacious alternative remedy, this writ petition is neither justified on facts nor in law.

4. Writ petition is, therefore, dismissed with a liberty to the petitioner to approach the appellate authority and raise all his contentions in the said appeal and in order to enable the petitioner to move the appellate authority, the order impugned shall remain stayed till 13.07.2015.

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