

THE HON'BLE SRI JUSTICE SANJAY KUMAR
and
THE HON'BLE MS. JUSTICE J. UMA DEVI

LAND GRABBING APPEAL No.37 of 2017

JUDGMENT: (per SK, J)

Sri Ramakrishna, learned counsel representing Sri H. Sudhakar Rao, learned counsel for the appellant, would submit that upon deeper examination of the matter, he is of the opinion that this appeal would not lie before this Court directly under Section 7A(3) of the Land Grabbing (Prohibition) Act, 1982, as the notification issued by the Government of Telangana makes provision only for transfer of appeals pending before the Special Court but does not contemplate institution of such appeals afresh before this Court. He would further submit that the earlier submission made before this Court in Writ Petition.(SR).No.142464 of 2017 to the effect that an appeal is maintainable and not a writ petition, whereupon the writ petition was dismissed as withdrawn leaving it open to the petitioner to avail appropriate remedies in accordance with law, was incorrect. He would therefore ask for leave to seek either revival of the earlier writ petition or to file a fresh writ petition in accordance with law.

The Land Grabbing Appeal is accordingly dismissed with the liberty aforesated.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

28th DECEMBER, 2017.

SANJAY KUMAR, J

Note: issue c.c. today.

MS. J. UMA DEVI, J

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