

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.5174 of 2019

ORDER:

By way of this Writ Petition, the petitioner seeks to challenge the appellate order dated 22.01.2019 passed by the Revenue Divisional Officer, Wanaparthy Division, Wanaparthy District, in purported exercise of power under Section 5(5) of the Telangana Rights in Land and Pattadar Passbooks Act, 1971. The petitioner was the respondent therein.

Sri M.Damodar Reddy, learned counsel for the petitioner, would contend before this Court that the appellate authority, having reserved orders on 01.9.2018, reopened the matter and heard arguments behind the back of the petitioner.

To verify this aspect, the learned Assistant Government Pleader for Revenue, State of Telangana, was asked to produce the original record.

Having perused the original record, Sri M.Damodar Reddy, learned counsel, fairly conceded that the appellate authority did reopen the matter on 19.01.2019 but there is no indication of any arguments having been heard but the matter was again reserved for orders on the same day leading to the pronouncement of the impugned order dated 22.01.2019. It is therefore clear that the appellate authority did not resort to hearing of further arguments behind the back of the petitioner herein.

That being so, this Court sees no reason to entertain this Writ Petition filed against the aforestated appellate order dated 22.01.2019 as the petitioner is provided an efficacious alternative remedy by way of a Revision under Section 9 of the Telangana Rights in Land and Pattadar Passbooks Act, 1971.

The Writ Petition is accordingly dismissed leaving it open to the petitioner to take recourse to the statutory remedy available to him in accordance with the due procedure.

Pending Miscellaneous Petitions, if any, shall also stand dismissed. No order as to costs.

22nd March, 2019
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JUSTICE SANJAY KUMAR

