

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.24385 OF 2019

Date: 07.11.2019

Between:

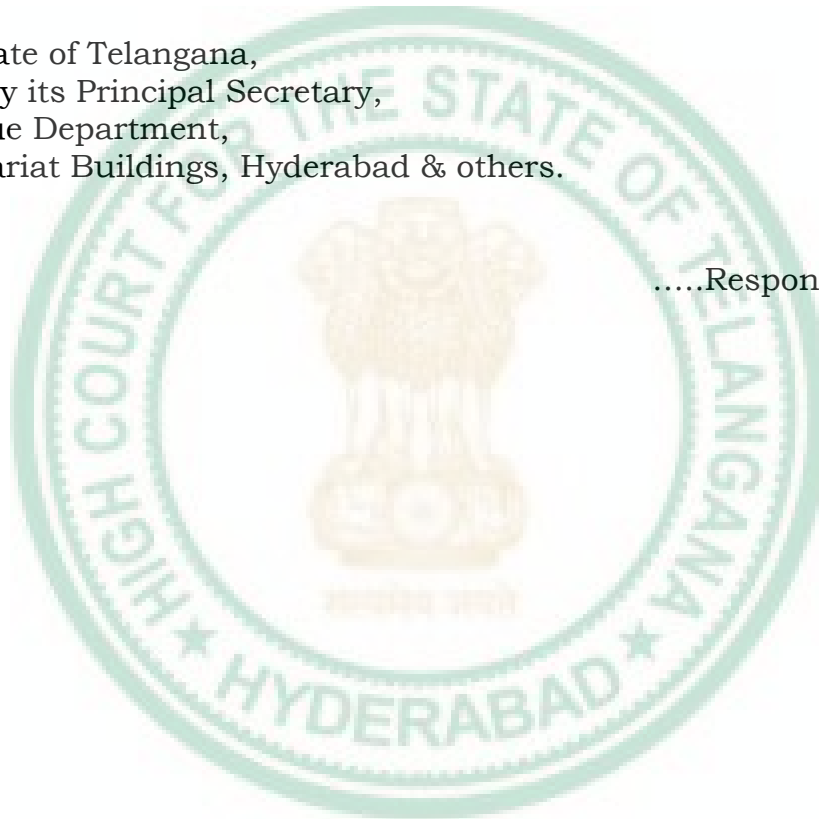
Sunchu @ Chunchu Devamma
W/o.Narsaiah, Aged about 51 yrs,
R/o.H.No.6-2-920/1,n Peddapalli Road,
Hussainipura,
Karimnagar Town and District and another

.....Petitioners

And

The State of Telangana,
Rep., by its Principal Secretary,
Revenue Department,
Secretariat Buildings, Hyderabad & others.

.....Respondents



The Court made the following:

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ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Revenue for respondents 1 to 3.

2. Aggrieved by the order dated 01.08.2019 of the Revenue Divisional Officer (RDO), respondents 4 to 6 preferred Revision before the Joint Collector, Karimnagar under Section 9 of the Telangana Rights in Land and Pattadar Pass Books Act, 1971 (for short 'the Act, 1971'). The Revision was taken up by the Joint Collector and notice was issued on 22.10.2019. Notice was served on the counsel appearing for petitioners. He fixed 26.10.2019 as the date of hearing. On 26.10.2019 the Joint Collector heard the matter and having prima-facie satisfied, granted stay of the order of the RDO dated 01.08.2019. Without even filing application to vacate the stay order, straight away this writ petition is filed by the petitioners challenging the interim order granted by the Joint Collector.

3. Learned counsel for the petitioners do not dispute that Joint Collector is competent to entertain Revision filed under Section 9 of the Act, 1971. As an adjudicating authority in a Revision under Section 9 of the Act, 1971 it is permissible for the Joint Collector in the given facts of the case to grant interlocutory order. If petitioners have grievance against granting of interlocutory order they should file application seeking vacation of interlocutory order or early disposal of Revision. The interlocutory order passed by the competent authority ordinarily is not amenable to judicial review unless malafides are

attributed or officer is not competent to entertain the Revision.

Thus, the writ petition is liable to be dismissed.

4. Accordingly, the Writ Petition is dismissed. However, this order does not come in the way of petitioners filing appropriate application seeking vacation of the order passed on 26.10.2019 and/or to seek early disposal of the Revision filed by respondents 4 to 6. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO, J

7th November, 2019
Rds

