

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION NO.14874 of 2004**

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Between:

Marupati Niranjani

PETITIONER

AND

1. The Joint Collector, Warangal, Warangal District, and others.

RESPONDENTS

**ORDER:**

This writ petition is filed challenging the order dated 14.06.2004 passed by the 1<sup>st</sup> respondent restraining the petitioner from interfering with the possession of the 3<sup>rd</sup> respondent pending disposal of the revision as illegal and arbitrary.

Heard learned counsel for the petitioner. None appears for the 3<sup>rd</sup> respondent.

The impugned order dated 14.06.2004, reads as under:

“Upon examining the material documents of evidence submitted by the Revision Petitioner, it is ordered that the orders issued by the Revenue Divisional Officer, Warangal in File No.A1/5068/2002, dt.28.02.2003 regarding rejection of the appeal of the revision petitioners is hereby stayed, and the respondents are restrained to interfere with the possession of the petitioner till the disposal of the case.”

The 3<sup>rd</sup> respondent herein filed an appeal before the Revenue Divisional Officer, Warangal, challenging the revenue entries and pattas granted in favour of the petitioner herein. The Revenue Divisional Officer vide order dated 28.02.2003 taking note of the fact that O.S.No.1568 of 2002 and other civil proceedings are pending before the Civil Courts, rejected the appeal holding that the appeal is time barred and left it open to the parties to work out their remedies with respect to the possession. Aggrieved by the same, the 3<sup>rd</sup> respondent filed a revision before the Joint Collector, Warangal. The Joint Collector while taking on record the revision filed by the 3<sup>rd</sup> respondent, passed an order of injunction.

Since the power to pass injunction order is the exclusive power vested with the competent civil Court, the Joint Collector could not

have passed the injunction order.

In that view of the matter, the impugned order to the extent of granting injunction is unsustainable as the same is beyond the jurisdiction of the authorities acting under the A.P. Record of Rights and Pattadar Passbooks Act.

Accordingly, the writ petition is allowed to the extent indicated above. Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

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**CHALLA KODANDA RAM, J.**

4<sup>th</sup> September, 2015  
Js.