

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.5588 OF 2005

DATED: 06.04.2015

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Between:

The District Collector, Chittoor,
and another.

.. Petitioners

And

The Commissioner of Appeals, Office of the Chief Commissioner of
Land Administration, A.P., Hyderabad, and others.

.. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.5588 of 2005

ORDER:

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The officers of the State filed this writ petition assailing the order dated 04.06.2004 passed by the Commissioner of Appeals, Office of the Chief Commissioner of Land Administration, A.P., Hyderabad, and seeking restoration of the order dated 27.02.1999 passed by the Special Commissioner and Director of Settlements, A.P., Hyderabad.

The writ petition stood dismissed as against respondents 7 and 12 by virtue of the order passed by this Court on 04.09.2012. Respondent No.7 is an alienee from the original ryotwari patta holder, Smt. G.K. Rani Vijayalakshmi, while respondent No.12 also is a similarly situated alienee. The proceedings under challenge relate to the grant of a ryotwari patta to Smt. G.K. Rani Vijayalakshmi. The other private respondents impleaded in this writ petition are either her alienees or their legal representatives. The validity of the grant of the patta insofar as

respondents 7 and 12, who are purchasers from the patta holder, can no longer be examined in this writ petition as it already stood dismissed against them. That being so, there cannot be a contradictory finding on the same issue as against the other alienees or their legal representatives who continue to be on record and are represented by counsel. As all the alienees would have to stand or fall together, there cannot be diverse findings as to the validity of the very same ryotwari patta, which forms the foundation of all their claims. The writ petition therefore cannot be adjudicated in the light of its dismissal as against respondents 7 and 12 and must accordingly fail in its entirety.

The writ petition is therefore dismissed.

Interim order dated 18.03.2005 shall stand vacated. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

6th April, 2015

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