

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Writ Petition No.10360 of 2011

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Dated 24.06.2015
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Between:

M.Ammanni and 6 others

... Petitioners

and

The District Collector,
Chittoor District and 14 others

...Respondents

Counsel for the petitioners: Mr.Ch.Srinivas

Counsel for respondents 1 to 3: AGP for Revenue (AP)

Counsel for respondent Nos.4 to 15: Mr.P.Ramabhoopal Reddy

The Court made the following:

Order:

At the interlocutory stage, the Writ Petition is taken up for hearing and disposal with the consent of the learned Counsel for the parties.

This Writ Petition is filed for a Mandamus to declare the action of the respondents in not allowing the petitioners to harvest the standing mango crop from their lands in Survey Nos.159/2, 160/2, 160/1, 161/1 and 161/2, situated at Karuvur Village, Pitchatur

Mandal, Chittoor District, and Krishnagiri Village, Chittoor District, as illegal and arbitrary.

I have heard Mr.Ch.Srinivas, learned Counsel for the petitioners, and Mr.P.Ramabhoopal Reddy, learned Counsel for respondent Nos.4 to 15.

The subject matter of the dispute in this Writ Petition pertains to resumption of the assigned lands from the petitioners' possession more than three decades after the purported purchase by them. The litigation has undergone multiple rounds, the details of which need not be narrated.

At the hearing, it has come to light that after this Writ Petition was filed, the appellate authority has passed an order confirming the resumption order passed by respondent No.2. This Court by Order, dated 20-04-2011, has granted *status quo* existing as on that day. It is now brought to the notice of this Court that during the pendency of the Writ Petition, the petitioners have filed a revision petition before respondent No.1 and the same is pending before him.

It is not in dispute that the petitioners are in possession of the lands in question. As the revision petition before respondent No.1 is pending, it is neither appropriate nor desirable to adjudicate the legality or otherwise of the resumption order, on merits, at this stage in this Writ Petition. Instead, it is appropriate that

respondent No.1 disposes of the revision petition after notice to the petitioners and also to respondent Nos.4 to 15. As the petitioners are, admittedly, in possession of the lands, they shall be permitted to remain in possession and enjoy the same without any interference by any of the respondents till disposal of the revision petition by respondent No.1.

The Writ Petition, accordingly stands disposed of.

As a sequel to disposal of the Writ Petition, interim orders granted therein are vacated and WPMP.Nos.12751 & 29477 of 2011, 14864 of 2012, 16354 of 2013, 17921 of 2014 and 22876 of 2015 are disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 24th June, 2015
LUR