

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD  
FOR THE STATE OF TELANGANA AND THE STATE  
OF ANDHRA PRADESH

(Special Original Jurisdiction)

PRESENT

THE HON'BLE THE  
CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA  
AND  
THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT APPEAL No.111 of 2014

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DATED: 29-01-2015

Between:

Sri Ahobila Mutt

.. Appellant

And

The Joint Collector-cum-Settlement  
Officer, Chittoor District and others

.. Respondents

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI  
SENGUPTA

AND

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT APPEAL No.111 of 2014

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JUDGMENT: (per Hon'ble Sri Justice Sanjay Kumar)

Though leave was granted to the appellant to prefer this appeal against the order dated 03.02.2010 passed by a learned Judge of this Court in W.P. No.1299 of 2010, we find, upon deeper examination of the issue, that this appeal cannot be entertained.

The subject matter of W.P. No.1299 of 2010 was the order dated 06.12.2009 passed by the Joint Collector-cum-Settlement Officer, Chittoor, whereby he rejected the request of the writ petitioner to implement the ryotwari patta issued to her. The said ryotwari patta was issued to the petitioner by the Settlement Officer, Nellore, under proceedings dated 20.04.1970 and the same was confirmed in appeal before the Director of Settlements, Andhra Pradesh, and in revision, the order of the Director of Settlements dated 11.03.1983 was confirmed by the Commissioner of Survey Settlements and Land Records, Andhra Pradesh, Hyderabad, by order dated 03.05.1994.

The appellant Mutt now claims that it is the owner of the subject land but significantly it never assailed the proceedings of 1970, whereby the writ petitioner was granted a ryotwari patta. It is now stated by Sri Subrahmanyam Kurella, learned counsel for the appellant Mutt, that steps have been initiated by his client in relation to the said proceedings of 1970.

In that view of the matter, this appeal against a

subsequent innocuous order which has no direct bearing on the substantial issue of grant of a ryotwari patta, does not require adjudication at the behest of the appellant Mutt.

The writ appeal is accordingly dismissed. The appellant Mutt is at liberty to pursue its remedies in the matter in accordance with law. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

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K.J. SENGUPTA, CJ

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SANJAY KUMAR, J

29-01-2015  
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