

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 36357 of 2016

ORDER:

Heard learned counsel for the petitioner, learned counsel for respondent Nos.3 to 5 and learned Government Pleader for Revenue.

2. With the consent of both the parties, the Writ Petition is disposed of at the admission stage.

3. The present Writ Petition came to be filed questioning the interim order dated 29.09.2016, passed by the Joint Collector in proceeding No.E2/ESECOAPLS(ROR)/4/2016, which is as under:

“...the operation of the orders of the Revenue Divisional Officer, Kadapa, i.e., to delete the entries in the PPBs/TDs of the revision petitioners herein and also directing the Tahsildar, Chennur to conduct denovo enquiry with regard to actual ownership of the above land on the basis of right title and enjoyment for the aforesaid land is hereby stayed until further orders”.

4. Placing reliance on the order passed by the Joint Collector and also the survey conducted by the Tahsildar, learned counsel for the petitioner would contend that the Joint Collector could not have passed the interim orders. It is his case that in view of the second survey report of the Tahsildar, wherein it has been held that the petitioners are in possession of the property, the finding of the Joint Collector that it is a Government land is baseless.

5. The above submission is opposed by the learned counsel for respondent Nos.3 to 5 stating that it was only interim order and

none of the parties are benefited by the said order. It is his case that since the revision is still pending consideration, it would be appropriate, if a direction is given for disposal of the said revision, at the earliest. He further submits that rights of the parties are neither affected nor violated and as such the request of the petitioner for vacating the interim stay cannot be accepted.

6. Having regard to the above facts, this Court is of the view that it may not be appropriate to adjudicate the matter on merits and demerits of the case at this stage, since the revision is still pending before the authorities. Therefore, it would be appropriate to dispose of the writ petition directing the Joint Collector to dispose of the proceeding No. E2/ESECOAPLS(ROR)/4/2016, as early as possible, preferably within a period of four (04) months from the date of receipt of a copy of the order. Till such time, *status-quo* as on today, shall be maintained in all respects i.e., with regard to possession, alienation, ownership and also entries made in the revenue records.

7. Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE C.PRAVEEN KUMAR

27.10.2016,
Note:
Issue CC by 31.10.2016
B/o.
vhh