

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.41146 of 2016

ORDER:

Heard the learned counsel for the petitioners and the learned Assistant Government Pleader for Revenue. With their consent, the writ petition is disposed of at the admission stage itself.

The present writ petition came to be filed questioning the order dated 06.10.2016 vide proceedings No.F/803/2015 passed by the 3rd respondent.

It is the case of the petitioners that without giving any opportunity to carry out necessary corrections in the appeal, more particularly, the names of the Village and Mandal, the third respondent dismissed the appeal. Learned counsel for the petitioners submits that while dismissing the appeal and stay petition, the 3rd respondent directed the petitioners to submit the appeal duly rectifying the correct location, which according to the petitioners would cause prejudice to them.

Learned AGP submits that in view of the direction given by the authority to submit the appeal afresh, no further orders are required in the present writ petition.

As seen from the impugned order, the Revenue Divisional Officer, without going into the merits of the case, dismissed the appeal directing the petitioners to submit the appeal afresh after carrying out necessary corrections. It is the submission of the learned counsel for the petitioners that since the possession of the petitioners is protected by virtue of order dated 16.06.2015 passed by this Court in W.P.No.14467 of 2015, a direction may be given to

the authorities permitting the petitioners to file a fresh appeal rectifying the mistakes, and till such time, *status quo* as on today may directed to be maintained with regard to subject property.

Having considered the circumstances stated above, more particularly, the order passed by this Court on 16.06.2015 in W.P.No.14467 of 2015 and the liberty given to the petitioners by the Revenue Divisional Officer, while dismissing the appeal, to submit the appeal afresh duly rectifying the mistakes, the Writ Petition is disposed of directing the petitioners to file a fresh appeal duly rectifying the mistakes within a period of four weeks from today, in which event the same shall be dealt with in accordance with law, at the earliest. *Status quo* as on today shall be maintained with regard to subject property for a period of four weeks.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

28.11.2016

Note : Issue C.C. in three days.
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