

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE DR JUSTICE SHAMEEM AKTHER

Writ Appeal No.345 of 2017

JUDGMENT: {Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan}

This appeal is preferred by the petitioners in W.P.No.9397 of 2017 aggrieved by the proceedings dated 16.03.2017 whereby notice before admission was ordered; the petitioners' counsel was directed to take out personal notice on respondents 4, 5, 7 and 8; and the matter was directed to be listed after three weeks. With a view to protect the interests of the petitioners, the Learned Single Judge directed the Commissioner of Police to look into the appellant-writ petitioners' complaint, and submit a report to the Court by the next date of hearing.

All that the Learned Single Judge has done is to defer hearing of the writ petition by a period of three weeks. The action of the Learned Single Judge, in deferring hearing, does not constitute a judgment, under Clause 15 of the Letters Patent. As held by the Division Bench of this Court in ***Kunala Subbarao vs. P.Nagaratnayamma***¹, followed in ***T.M.Reddy Educational Society vs. State of Andhra Pradesh***², an intra-court appeal, under Clause 15 of the Letters Patent, does not lie against hearing of the admission of the writ petition being deferred. We see no reason, therefore, to entertain the appeal.

Sri M.Karuna Sagar, learned counsel for the appellant-writ petitioners, would request this Court to atleast direct the Learned Single Judge to decide the matter early. It would be wholly inappropriate for us to determine the board of the Learned Single Judge. Suffice it to observe that we have no reason to doubt that, on a request made by the learned counsel for the appellant-writ petitioners in this regard, such a request would be given its due consideration.

¹ AIR 1982 AP 443

² Judgment in W.A.No.918 of 2016 dated 29.09.2016

The Writ Appeal fails and is, accordingly, dismissed.
Miscellaneous Petitions pending, if any, shall also stand dismissed.
There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(DR. SHAMEEM AKTHER, J)

23rd March, 2017
JSU



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