

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SMT.JUSTICE T. RAJANI

Writ Appeal No.612 of 2017

Judgment: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

This appeal, under Clause 15 of the Letters Patent, is preferred against an ex-parte ad-interim order of status-quo passed by the learned Single Judge. By the order under appeal, the learned Single judge, while ordering notice before admission and directing the matter be listed on 9.6.2017 in the motion list, directed that, till then, status-quo obtaining as on the date of the order (10.4.2017) shall be maintained regarding possession of the subject lands. The learned Single Judge made it clear that the order passed by him would not preclude the Joint Collector from conducting an enquiry.

The appellants herein are the petitioners in the writ petition. By way of an interlocutory order, they sought suspension of the order of status-quo passed by the Revenue Divisional Officer on 23.9.2016. Granting the interim relief sought for would, in effect, result in the main relief itself being granted. The learned Single judge has protected the appellants' interests by ordering notice before admission and directing that the matter be placed in the motion list on 9.6.2017. The interlocutory application for grant of interim suspension is also pending before the learned Single Judge.

In proceedings under Clause 15 of the Letters Patent, interference is justified only if the order under appeal suffers from a patent illegality. We find no such infirmity in the order under appeal.

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)

(T. RAJANI, J)

2nd June, 2017

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