

**THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN**

**AND**

**THE HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI**

**Writ Appeal No.74 of 2018 and W.P.No.21500 of 2009**

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

Sri V.Nitish, learned counsel for the appellant-writ petitioner, the learned Government Pleader for Revenue (AP) appearing on behalf of respondent Nos.1 to 3 and Sri S.Subba Reddy, learned Standing Counsel for respondent No.4, would agree that the subject matter of the writ appeal is covered by an order passed by this Court in W.A.No.51 of 2018 and W.P.No.21504 of 2009 dated 22.01.2018.

Following the said order, the order under appeal is set aside and the Writ Petition is restored to file and is dismissed as withdrawn granting liberty to the appellant-writ petitioner to avail his remedy of filing a Suit. Needless to state that, in case the appellant-writ petitioner avails such a remedy, the competent Civil Court shall adjudicate his claim, on its merits, without being influenced by the order under appeal. The Writ Appeal is disposed of accordingly.

Miscellaneous petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

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**(RAMESH RANGANATHAN, ACJ)**

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**(KONGARA VIJAYA LAKSHMI, J)**

06<sup>th</sup> February, 2018  
JSU

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**Date: 06.02.2018**

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