

**THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI**

Writ Appeal No.28 of 2018

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

This appeal, under Clause 15 of the Letters Patent, is preferred against the ad-interim order passed by the learned Single Judge in WPMP No. 46253 of 2017 in W.P. No. 37227 of 2017 dated 13.12.2017.

The appellants herein are not parties to the Writ Petition. They have preferred the appeal, seeking leave to do so, on the ground that they are interested in the very same land; and an *inter se* dispute, between them and the respondent-writ petitioners, is pending in revision before the Joint Collector, Suryapet.

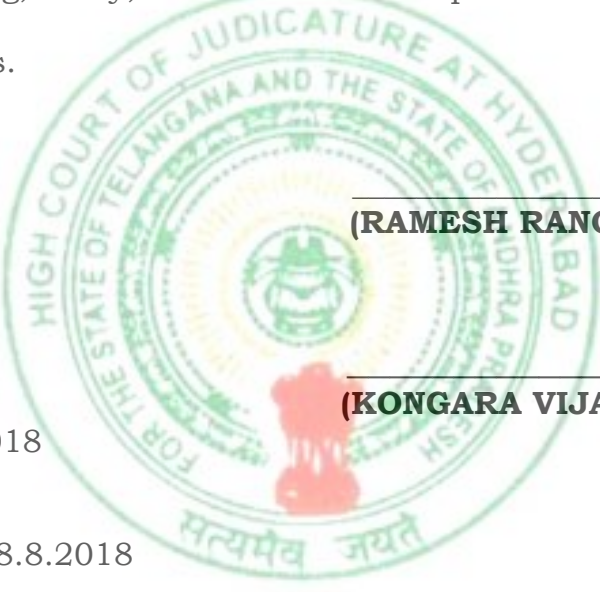
It is wholly unnecessary for us to examine the rival contentions on merits since the interim relief sought for in the WPMP was for a direction to the Tahsildar to forthwith conduct an enquiry; and to pass necessary orders, on the petitioners' representation dated 20.5.2013, pending disposal of the Writ Petition.

While the interim relief sought for, was to consider the petitioner's representation after causing an enquiry, the learned Single Judge has directed the Tahsildar to mutate the names of the respondent-writ petitioners in the revenue records, as the respondent-writ petitioners were claiming through the decree holder in O.S. No. 62 of 1964 dated 8.4.1964 which was decreed by the Munsif Magistrate, Suryapet. The interim relief granted by the learned Single Judge goes far beyond the interim relief sought for by the respondent-writ petitioners.

As the appellants herein contend that an *inter se* dispute, between them and the respondent-writ petitioners, is pending in revision before the Joint Collector, we consider it appropriate to modify

the order passed by the learned Single Judge, and pass the following interim order. The appellants shall file their objections, if any, to the representation dated 20.5.2013, submitted by the respondent-writ petitioners, within two weeks from today. The Tahsildar shall consider the appellant's objections, alongwith the respondent-writ petitioner's representation dated 20.05.2013; and pass appropriate orders in accordance with law, on both the representation of the respondent-writ petitioners and the objections filed by the appellants herein within four weeks thereafter.

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



(RAMESH RANGANATHAN, ACJ)

(KONGARA VIJAYA LAKSHMI, J)

6th February, 2018

Note:
Furnish c.c. by 8.8.2018
b/o
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W.A. No. 28 of 2018

Date: 6.2.2018

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