

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.10544 OF 2006

ORDER

This writ petition is filed for the following relief (in the same verbatim):

“...to issue a writ, order or direction more in the nature of Writ of Mandamus directing the respondents 2 to 4 herein not to act upon the letter vide No.12/9887/1988, dt. 8.9.2004 which was addressed by the first respondent herein with regard to land of Women's Co-op. Society and its members pending adjudication of the matters in the Hon'ble High Court i.e., W.P.Nos.10440 of 1985 & batch and W.A.No.860/89 & batch which were remanded pursuant to the orders passed by the Hon'ble Supreme Court of India in SLP Nos.13010 to 13019 of 1996 and 2692-93 of 1997 in view of the disposal of the matters i.e., the above writ petitions and writ appeals by a common judgment dt. 17.2.2006 by the Hon'ble Division Bench consisting of the Hon'ble Mr Justice Bilal Nazki and the Hon'ble Justice G.Yethirajulu in favour of the petitioners in the writ petitions and appellants in writ appeals invalidating the proceedings of the District Collector dt. 18.12.1984 and 17.7.1985 issued under Section 166 (B) of A.P. (TA) Land Revenue Act 1317 Fasli and also to issue consequential direction to the respondents for release of the registered documents and also to consider the cases of the petitioners for granting building permission for the purpose of construction of residential houses etc. by duly declaring the action of the respondents in not considering the cases of the petitioners by the respondents 2 to 4 for the above mentioned purposes in view of the letter No.12/9887/1988, dt. 8.9.2004 as illegal, arbitrary and contrary to the well settled principles of law and pass such other order or orders as this Hon'ble Court may deem fit and proper.”

While admitting the writ petition on 31.5.2006, this Court in W.P.M.P.No.13201 of 2006 granted interim direction, which reads as under:

“From a perusal of the record it is evident that after remand by the Hon’ble Supreme Court, a Division Bench of this Court passed a common order in a batch of writ petitions and writ appeals on 17.2.2006 upholding the rights of the petitioners herein. In that view of the matter, respondents 2 to 4 shall not take the letter addressed by the 1st respondent, earlier to the said judgment and shall be guided by the judgment of this Court dt. 17.2.2006 in W.P.No.1040 of 1985 and batch.”

In pursuance of the said order, documents have been released in favour of the petitioners. However, while releasing the said documents, an endorsement has been made to the effect that the release of the documents will be subject to the result of the SLP filed by the Government against the judgment of the Hon’ble High Court of A.P in WPMP No.13201 of 2006 in W.P.No.10544 of 2006.

Learned counsel appearing for the petitioners reported that the SLP is dismissed and in view of the same, the cause in the writ petition does not survive for adjudication.

Learned Government Pleader submits that on furnishing a copy of the orders of the Apex Court before the authorities concerned, the concerned authorities would remove the endorsement made on the documents.

Recording the above submission made by the learned Government Pleader, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

9th February, 2018
rkk

