

**HON'BLE THE CHIEF JUSTICE
SRI THOTTATHIL B. RADHAKRISHNAN**

AND

HON'BLE SRI JUSTICE P. KESHA RAO

WRIT APPEAL No.648 OF 2017

JUDGMENT (ORAL): (Per Hon'ble The Chief Justice Sri Thottathil B. Radhakrishnan)

This Writ Appeal is against an interlocutory order.

2. We have heard the learned counsel for the appellant, learned counsel for respondent No.6, learned Government Pleader for Social Welfare appearing for respondent No.1 and learned Government Pleader for Revenue appearing for respondent Nos.2 to 4.

3. The order impugned in this writ appeal reads as follows:

“Heard learned counsel for the petitioner and learned counsel for the vacate stay petitioner.

Initially, this Court granted interim order on 27-10-2016 and the same was extended from time to time.

Learned counsel for the petitioner seeks further time.

Learned counsel for the vacate stay petitioner opposed the same and submits that there is a clear finding by the Government that the purchase was between the tribes after paying valid sale consideration; that the said sale transaction was through registered sale deeds and that the 1st respondent has considered the issue and allowed the revision filed by the 6th respondent.

A reading of impugned order goes to show that 1st respondent considered the issue in depth and gave a clear

finding that purchase was between the tribes, after paying valid sale consideration and through registered sale deeds.

In view of above facts and circumstances, I do not see any reason to extend the interim orders granted earlier.

Accordingly, the vacate petition is allowed and stay petition is dismissed.”

4. The interim order granted on 27.10.2016 by the learned single Judge was vacated through the impugned order dated 18.04.2017.

5. On 18.05.2017, the following order emanated from the Division Bench in this writ appeal:

“When the matter is taken up, learned counsel for the sixth respondent submits that on 16.05.2017, a panchanama was conducted and possession was handed over to the sixth respondent.

At the request of the learned counsel appearing for the parties, post on 05.06.2017.

In the meantime, the parties are directed to maintain *status quo* obtaining as on today.”

6. In the light of the aforesaid, the fact of the matter remains that *status quo* as obtained on 18.05.2017 is maintained even as of now.

7. Ends of justice require that the writ petition is disposed of expeditiously maintaining the *status quo* as noted above.

8. In the result, this Writ Appeal is ordered directing that the interim order dated 18.05.2017 will stand absolute till disposal of the writ petition and the learned single Judge will make efforts to dispose of the writ petition expeditiously. No order as to costs.

As a sequel thereto, Miscellaneous Applications, if any, pending in the Writ Appeal stand closed.

THOTTATHIL B. RADHAKRISHNAN, CJ

P. KESHA VA RAO, J

August 23, 2018.

PV

