

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE MS. JUSTICE J.UMA DEVI

WRIT APPEAL No.687 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 order passed by the learned Single Judge in Writ Petition No.11050 of 2018 dated 23.04.2018. While directing that the matter be posted after vacation, the learned single Judge observed that, in the meanwhile, there shall be *status quo* with regards the petitioner's land, however other proceedings may go on.

Learned Advocate General, appearing on behalf of the appellant (respondent in the writ petition), would submit that this order of *status quo* was passed after the appellant herein had filed their counter-affidavit in the writ petition. While it does appear that the appellant had filed their counter-affidavit in the writ petition at the stage of admission, the interim order makes no reference to its content.

As the appellant can file a petition seeking vacation of the said interim order, we see no reason to interfere with the order under appeal. As the dispute, in the present case, relates to acquisition of land for construction of a National Highway, the submission of the learned Advocate General, that there is an urgency for the matter be heard early, has considerable force. We leave it open to the learned Advocate General to request the learned

Single Judge, after a petition seeking vacation of the interim order is filed, to hear the vacate stay petition early. We have no reason to doubt that, on such a request being made, the learned Single Judge would give such request its due consideration. We see no reason, however, to interfere with the order under appeal.

The Writ Appeal fails and is, accordingly, dismissed. Miscellaneous Petitions pending, if any, shall also stand closed. There shall be no order as to costs.

 (RAMESH RANGANATHAN, ACJ)

(J.UMA DEVI, J)

04.06.2018
Gsn.

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Dt. 4.6.2018