

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE MS JUSTICE J.UMA DEVI

WRIT APPEAL NO.905 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 proceedings in WP.No.21210 of 2018 dated 25.06.2018, whereby the learned Single Judge, while admitting the Writ Petition and issuing notice returnable in four weeks, directed the matter to be posted along with W.P.No.10516 of 2018.

As held by this Court, in **Kunala Subbarao and Others v. P.Nagaratnayamma**¹, hearing of the Writ Petition being deferred would not constitute a “judgment” under Clause 15 of the Letters Patent, justifying an *intra-Court* appeal being entertained against the said proceedings. This judgment of the Division Bench in **Kunala Subbarao**¹ was followed later by another Division Bench in **T.M.Reddy Educational Society v. State of Andhra Pradesh**².

As an *intra-Court* appeal is not maintainable against the impugned proceedings, whereby hearing of the I.A. in the Writ Petition was merely deferred by four weeks, the Writ Appeal fails and is, accordingly, dismissed. Suffice it to make it clear that this order shall not disable the appellant-writ petitioners from requesting the learned Single Judge to take up the

¹ AIR 1982 AP 443

² Judgment in W.A.No.918 of 2016 dated 29.09.2016

interlocutory application at an early date. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand dismissed.

(RAMESH RANGANATHAN, ACJ)

(J.UMA DEVI, J)

5th July 2018
RRB

