

I.A. Nos.2 and 3 of 2024
IN
WRIT APPEAL NO: 675 of 2008

Tadikamalla Ramaiah, Vijayawada and Others ...Appellant(s)
Vs.
The District Collector, Krishna and Others ...Respondent(s)

Advocate(s) for Appellant(s): SRI VENKATESWARA RAO GUDAPATI
Advocate(s) for Respondent(s): SRI RAMA CHANDRA RAO GURRAM
M/S.R.MAITRAIE FOR ADVOCATE GENERAL

CORAM : THE CHIEF JUSTICE LISA GILL
SRI JUSTICE CHALLA GUNARANJAN

DATE : 16th July 2026

COMMON ORDER: (per Hon'ble Sri Justice Challa Gunaranjan)

I.A.No.2 of 2024 is filed seeking review of common judgment dated 03.11.2023 passed in Writ Appeal No.675 of 2008. I.A. No.3 of 2024 is filed seeking direction to respondents 36 to 45 not to evict the review petitioners from possession of subject property pending disposal of the review petition.

2. Appellants 1, 6, 7 and 9 in Writ Appeal No.675 of 2018 preferred above applications. The said appeal came to be instituted assailing the order dated 24.01.2008 passed in WP No. 15732 of 1996, whereby, learned Single Judge, while allowing the writ petition, held that since the subject lands have already vested with

Government by operation of law in view of Section 10(3) of Urban Land (Ceiling and Regulation) Act, 1976 (herein after, for short 'the Act'), the claim of appellants/writ petitioners therein based on the award stated to have been passed in their favour qua the rights of original declarants/landlords has no significance and further that the possession and enjoyment over subject land clearly vested with the State. Further, it has also been held that the allotment of subject land in favour of respondents 3 to 35 therein, who are third parties in pursuance to impugned proceedings dated 05.01.1996 passed by the Mandal Revenue Officer, Vijayawada Urban, was bad in law and therefore unsustainable. It has been made clear that the subject land in question shall remain with the Government.

3. By common judgment dated 03.11.2023, the Co-ordinate Bench has disposed of aforesaid appeal along with other connected matters, including those instituted by the original declarants, which challenged the proceedings of urban land ceiling authorities, by which the subject land has been declared to be surplus. By said order, the writ petitions of declarants/landlords came to be allowed by holding that the proceedings initiated by Special Officer and Competent Authority stand abated and therefore the subject land shall stand restored in their favour.

Eventually, Writ Appeal No.675 of 2008 preferred by appellants/review petitioners also came to be dismissed.

4. Sri Venkateswara Rao Gudapati, learned counsel appearing for review petitioners, contend that the right and title over subject property got accrued in favour of review petitioners in view of the award passed in O.P. No.70 of 1995 on the file of learned Principal Subordinate Judge, Vijayawada and therefore, the dismissal of Writ Appeal No.675 of 2008 in a way would foreclose their right over the subject property qua the original claimants, therefore, would urge to review the common order.

5. Mr.Gurram Ramachandra Rao, learned counsel appearing for the contesting declarants/landlords, by drawing attention of this Court to para 7 of the common judgment would state that the Division Bench indeed had referred to the claim of the review petitioners, however, as the subject property has already been treated to have vested with the government by virtue of Section 10(3) of the Act, the claim of third party tenants, on the basis of award, would be of no consequence, however, he did not dispute the fact that the Division Bench has not adjudicated the claims *inter se* between the declarants/landlords and the appellants/review petitioners.

6. We have gone through the common order and perused the record.

7. The review petitioners are essentially concerned with their rights over subject property, which according to them accrued in pursuance to the award passed by the Civil Court. We are of the opinion that this Court has neither dealt with the *inter se* claims between the appellant/review petitioners and declarants/landlords qua the subject property nor expressed any opinion regarding the same. The Court has merely expressed that the proceedings initiated by competent authority under the provisions of the Act stand abated and that the subject land stands restored in favour of the claimants/landlords. It would therefore suffice to clarify that dismissal of Writ Appeal No.675 of 2008 would not come in the way of review petitioners in ascertaining their rights over subject lands qua the claimants/landlords in any of the pending or in any other proceedings.

8. With the above observation, both these applications stand disposed of.

LISA GILL, CJ

CHALLA GUNARANJAN, J

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