

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE TWENTY EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND NINETEEN

:PRESENT:

THE HON'BLE SRI JUSTICE SANJAY KUMAR

IA No. 1 AND 2 OF 2018

IN

WP NO: 12803 OF 2018

I.A. NO. 1 OF 2018:

Between:

1. Madoth Kokya, S/o. Late Hanja, Aged 72 years, Occ Agri., Rio. Kandigadda Thanda H/o. Gundlagudem Village, Alair Mandal, Yadadribhuvanagiri District.
2. Madoth Deepla, S/o. Kokya, Aged 45 years, Occ Agri., Rio. Kandigadda Thanda H/o. Gundlagudem Village, Nair Mandal, Yadadribhuvanagiri District.
3. Madoth Parshi, S/o. Kokya, Aged 43 years, Occ Agri., Rio. Kandigadda Thanda H/o. Gundlagudem Village, Affair Mandal, Yadadribhuvanagiri District.

...Petitioners

(Petitioners in WP. No. 12803 of 2018

On the file of the High Court)

AND

1. The State of Telangana, rep. by its Prl. Secretary, Department of Revenue, Telangana Secretariat, Hyderabad.
2. The Joint Collector, Yadadri Bhuvanagiri.
3. The Tahsildar, Alair Mandal, YadadriBhuvanagiri.
4. Bhanothu Ghamli, W/o. Hanuma, Aged 45 years, Occ Agri. R/o. Kandigadda Thanda H/o. Gundlagudem Village, Alair Mandal, Yadadribhuvanagiri District.
5. Kethavath Sarvar, S/o. Ravooja, Aged 35 years, Occ. Agri., R/o. Kandigadda Thanda H/o. Gundlagudem Village, Alair Mandal, Yadadribhuvanagiri District.
6. Gugulothu Anjaiah, S/o Ramulu, Aged 45 years, Occ Agri., R/o. Kandigadda Thanda H/o. Gundlagudem Village, Alair Mandal, Yadadribhuvanagiri District.

...Respondents

(Respondents in -do-)

Petition under Section 151 of C.P.C. praying that in the circumstances stated in the Counter affidavit filed in the W.P. the High Court may be pleased to stay the order in Appeal No.F2/2299/2016, dt.06-03-2018 passed by the respondent No.2 pending disposal of writ petition No. 12803 of 2018, on the file of the High Court.

IA No. 2 OF 2018

Between:

1. Bhanothu Ghamli, W/o. Hanuma, Aged 45 years, Occ Agri. R/o. Kandigadda Thanda H/o. Gundlagudem Village, Alair Mandal, Yadadribhuvanagiri District.
2. Kethavath Sarvar, S/o. Ravooja, Aged 35 years, Occ. Agri., R/o. Kandigadda Thanda H/o. Gundlagudem Village, Alair Mandal, Yadadribhuvanagiri District.
3. Gugulothu Anjaiah, S/o Ramulu, Aged 45 years, Occ Agri., R/o. Kandigadda Thanda H/o. Gundlagudem Village, Alair Mandal, Yadadribhuvanagiri District.

...Petitioners

Respondent Nos. 4 to 6 in IA. No. 1 of 2018

(Respondent Nos.4 to 6 in WP 12803 of 2018
on the file of High Court)

AND

1. Madoth Kokya, S/o. Late Hanja, Aged 72 years, Occ Agri., Rio. Kandigadda Thanda H/o. Gundlagudem Village, Alair Mandal, Yadadribhuvanagiri District.
2. Madoth Deepla, S/o. Kokya, Aged 45 years, Occ Agri., Rio. Kandigadda Thanda H/o. Gundlagudem Village, Nair Mandal, Yadadribhuvanagiri District.
3. Madoth Parshi, S/o. Kokya, Aged 43 years, Occ Agri., Rio. Kandigadda Thanda H/o. Gundlagudem Village, Affair Mandal, Yadadribhuvanagiri District.

Respondents
Petitioners in I.A. No. 1 of 2018
(Petitioners in WP.No.12803 of 2018
On the file of the High Court)

4. The State of Telangana, rep. by its Prl. Secretary, Department of Revenue, Telangana Secretariat, Hyderabad.
5. The Joint Collector, Yadadri Bhuvanagiri.
6. The Tahsildar, Alair Mandal, Yadadribhuvanagiri

...Respondents
(Respondent Nos. 1 to 3 in -do-)
(Respondent Nos. 1 to 3 in -do-)

Petition under Section 151 of CPC, praying that in the circumstances stated in the counter affidavit filed herein, the High Court may be pleased to vacate the interim order dt. 16-04-2018 passed in dl.A.No.1 of 2018 in W.P.No.12803 of 2018 and dismiss the writ petition.

The petitions coming on for hearing, upon perusing the petitions and the affidavit and counter affidavit filed herein, and the orders of the High Court dated 16-04-2018, 28-06-2018 and 27-07-2018 made in I.A.No.1 of 2018 in WP No.12803 of 2018 and upon hearing the arguments of Sri K. Jagadishwar Reddy, Advocate for Petitioners in I.A. No.1 of 2018 and Respondent Nos.1 to 3 in I.A. No. 2 of 2018, and of GP for Revenue, for the Respondent Nos.1 to 3 in I.A.No.1 of 2018, and Respondent Nos. 4 to 6 in I.A.No.2 of 2018, M/s Papaiah Peddakula, Advocate for the Respondent Nos.4 to 6 in I.A.No.1 of 2018 and Petitioners in I.A.No.2 of 2018, the Court made the following:

ORDER

By order dated 16.04.2018, this Court granted interim stay of further steps pursuant to the order impugned, in connection with the correction of the revenue records, till the end of June, 2018.

I.A.No.2 of 2018 was filed by respondent 4 to 6 to vacate the above order. This vacate application was filed on 26.07.2018. However, perusal of the record reflects that the interim order granted on 16.04.2018 was extended up to 17.08.2018 and there was no extension thereof after the said date. Be it noted that the matter was listed on 23.11.2018 and 26.12.2018 and no request seems to have been made for extension of the interim order. In that view of the matter, the interim order expired by efflux of time and it is not in operation as on date. Therefore, the question of vacating the said interim order does not arise.

I.A.No.1 of 2018 and I.A.No.2 of 2018 are ordered accordingly

//TRUE COPY//

Sd/- N.PURUSHOTHAM REDDY
ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To

1. One CC to Sri K. Jagadishwar Reddy, Advocate (OPUC)
2. One CC to M/s Papaiah Peddakula, Advocate (OPUC)
3. Two CCs to G.P. for Revenue, High Court at Hyderabad. (OUT).
4. One spare copy.

HIGH COURT

SK, J

DATED: 28-02-2019

ORDER

IA No. 1 & 2 OF 2018
IN
WP NO: 12803 OF 2018



INTERIM ORDER MADE ABSOLUTE

