

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD  
(Special Original Jurisdiction)

TUESDAY, THE THIRTIETH DAY OF SEPTEMBER  
TWO THOUSAND AND EIGHT

PRESENT

**THE HON'BLE MR JUSTICE P.V.SANJAY KUMAR**

**WRIT PETITION No.4200 OF 2001**

Between:

The Roman Catholic Congregation Fransiciscan Sisters of  
Mary a Society registered under Societies Registration  
Act running Maris  
Stella College, Vijaywada, represented by its  
correspondent Sr.Appalonia Marineni.

.....  
**PETITIONER**

AND

- 1 Special Officer and Competent Authority,  
Urban Land Ceiling, Vijayawada.
- 2 Appellate Authority and Commissioner for Land  
Reforms and  
Urban Land Ceiling, Hyderabad.

.....**RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to examine the records of the 1st respondent in C.C.No.2554/79 and of the second respondent in D.NO.AVC.2/3345/81 dated 14.07.1992, declare that the petitioner is entitled for exemption under Sec.19(1)(iv) of the Urban Land (Ceiling and Regulation) Act, 1976, set aside the two orders of the respondents and consequently issue a writ of mandamus or any other appropriate writ, order or direction, forbearing the respondents from proceeding against the petitioner and recovering the vacant land and buildings as found by them to be surplus and pass such other order or orders as this Honourable Court may deem fit and proper in the circumstances of the case.

**Counsel for the Petitioner : MR.RAMA RAO  
PHILKHANA**

**Counsel for the Respondents : GP FOR REVENUE**

**The Court made the following :**

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**HONOURABLE SRI JUSTICE**

**P.V.SANJAY KUMAR**

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**O R D E R**

This writ petition arises under the Urban Land (Ceiling and Regulation) Act, 1976.

The affidavit filed by the Special Officer-Competent Authority, Urban Land Ceilings, Vijayawada, Krishna District - first respondent, specifically states that the possession of the surplus land in the present case was not taken under Section 10(6) of the Urban Land (Ceiling and Regulation) Act, 1976.

In the light of the above statement made by the first respondent, it is clear that the proceedings initiated under the Act would abate in as much as the Government of Andhra Pradesh adopted the Urban Land (Ceiling and Regulation) Repeal Act, 1999 with effect from 27.03.2008 and a notification to this effect was issued under G.O.Ms.No.603, Revenue (UC.I), 22.04.2008.

Therefore, the proceedings initiated against the petitioner under the Urban Land (Ceiling and Regulation) Act, 1976 abate and the cause of action in

the present writ petition does not survive.

Accordingly, the writ petition is closed. There shall be no order as to costs.

**P.V.SANJAY KUMAR,J**

**30<sup>TH</sup> SEPTEMBER, 2008**  
**PGS**

**THE HON'BLE MR JUSTICE P.V.SANJAY KUMAR**

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**30<sup>TH</sup> SEPTEMBER, 2008**