

**HON'BLE THE ACTING CHIEF JUSTICE C. PRAVEEN KUMAR
AND
HON'BLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY**

WRIT APPEAL No.97 of 2019

JUDGMENT: (Per Hon'ble The Acting Chief Justice C.Praveen Kumar)

The present writ appeal is directed against the order dated 22.01.2019 passed in I.A.No.1 of 2018 in W.P.No.12781 of 2018, wherein a learned Judge of this Court issued a direction to respondents 1 to 4 authorities herein to maintain absolute *status quo* as on that date as regards the nature and character of the puntha, without allowing the assignees, if any, from making any constructions whatsoever.

The grievance of the appellants, who are the unofficial respondents in the aforesaid writ petition and who claim to be in possession of the subject land by virtue of house site pattas granted by the Government, is that the constructions started by them in the subject land have been stalled in view of the order under appeal.

On the other hand, it is the case of the writ petitioners that the subject land, being a puntha, cannot be assigned.

As can be seen from the record, in the main writ petition, the writ petitioners challenged the action of the respondent authorities in granting pattas and permitting occupation of land in Sy.Nos.32 and 33 of Garapadu Village, Vatticherukuru Mandal, Guntur District, and sought a consequential direction to the authorities to keep the said land free from any encroachment, so as to facilitate free passage, by evicting the encroachers including the unofficial respondents therein, while cancelling the pattas granted in their favour and providing them alternative house sites.

Having regard to the issues involved, we are of the view that the writ petition requires detailed hearing. As it would be appropriate to preserve

the nature and character of the property in dispute, pending disposal of the writ petition, we are of the opinion that the learned Judge has rightly ordered *status quo* to be maintained and no interference is warranted therewith in this appeal.

Accordingly, the writ appeal is dismissed. The appellants are, however, at liberty to take necessary steps for expeditious hearing of the writ petition.

As a sequel, pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

C. PRAVEEN KUMAR, ACJ

CHEEKATI MANAVENDRANATH ROY, J

Dt: 28.06.2019
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