

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE EIGHTH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

[3310]

:PRESENT:

THE HONOURABLE DR JUSTICE K MANMADHA RAO

IA No. 3 OF 2023

IN

CMA NO: 293 OF 2023

Between:

Chigulla Sarojini, W/o Koteswara Rao, Aged 59, R/o 9th Lane, Nehrunagar,
Guntur, Guntur District.

AND

...Appellant/Respondent

Sri Siddabathuni Komalangamma Dharma Satram, Rep. by its Manager, Lalapet,
Guntur.

...Respondent/Petitioners

Counsel for the Petitioner : SRI POSANI AKASH

Counsel for the Respondent : -----

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceedings pursuant to the order dated 30-06-2007 in O.A.No. 36 of 2005 passed by the including the execution proceedings, Pending disposal of CMA No. 293 of 2023, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

"This application is filed seeking to stay all further proceedings pursuant to the order dated 30.06.2007 in O.A.No.36 of 2005 on the file of Endowments Department, Guntur.

The learned counsel for the appellant submits that Sri Siddabathuni Komalangamma filed O.A.No.36 of 2005 before the Deputy Commissioner(for short "The Tribunal") claiming that the said land was endowed to their satram and the petitioner/appellant and other occupants are encroachers. The said petition was allowed by the Tribunal vide order dated 30.06.2007, directing the appellant to evict from the subject premises within 30 days from the date of receipt of the order. Aggrieved by the same, appellant filed Revision Petition

No.54 of 2007 before the Regional Joint Commissioner of Endowments, Tirupathi, Chittoor District and also filed interlocutory application seeking stay of execution of the order under revision. But no orders are passed in the stay application.

Aggrieved by the action of the Regional Joint Commissioner of Endowments, Tirupathi, Chittoor District in not passing interim orders pending disposal of revision, W.P.No.20318 of 2007 was filed before this Court and the same was disposed of vide order dated 27.09.2007 directing to maintain status-quo and further directed to dispose of the revision. Thereafter, the said Revision Petition was closed and W.P.No.7554 of 2008 was filed before this Court by the appellant questioning the orders passed in O.A.No.36 of 2005 dated 30.06.2007 and in R.P.No.54 of 2007 dated 22.12.2007. This Court has directed both the parties to maintain status-quo for a period of two(2) weeks. The said interim order is being extended from time to time and thereafter it was extended until further orders.

While the matter stood thus, the Division Bench of this Court dismissed the said Writ Petition granting liberty to the petitioner/appellant to prefer Civil Miscellaneous Appeal under Section 84(2) of the Act. Thereafter, when the Writ Petition was listed under the caption "for being mentioned", on 05.01.2023, the interim order granted earlier was extended for a period of two months from 05.01.2023 as there was a status-quo order granted in Writ Petition and it was extended till disposal of the Writ Petition.

In view of the same, there shall be stay of all further proceedings pursuant to the order dated 30.06.2007 in O.A.No.36 of 2005 including execution proceedings."

Sd/- B.PRASADA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Regional Joint Commissioner of Endowments, Tirupathi, Chittoor District.
2. The Deputy Commissioner, Endowments Department, Guntur.
3. The Manager, Sri Siddabathuni Komalangaamma Dharma Satram, Lalapet, Guntur. (By RPAD)
4. One CC to SRI. POSANI AKASH Advocate [OPUC]
4. One spare copy

ER

HIGH COURT

DRKMRJ

DATED:08/08/2023

POST THE MATTER ON 05.09.2023

ORDER

IA NO.3 OF 2023

IN

CMA.No.293 of 2023

STAY

