

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

PRESENT

THE HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT APPEAL No.587 of 2015

DATED: 17.07.2015

Between:

Koti Venkaiah and another

... Appellants

and

The State of Andhra Pradesh and others

... Respondents

**THE HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V.BHATT**

WRIT APPEAL No.587 of 2015

PC: (per the Hon'ble The Acting Chief Justice Dilip B. Bhosale)

This Writ Appeal is directed against the order, dated 08.06.2015 passed in Writ Petition No.15909 of 2015 whereby the appellants' prayer for declaring the action of the third respondent in granting permission for construction of temple on the appellants' land has been rejected.

We have perused the order of the learned Single Judge. It is clear therefrom and it is also not disputed by learned counsel for the appellants that there is suit bearing No.67 of 2014 pending between the petitioners and their relatives, who are allegedly making construction of temple on the petitioners' property. Learned counsel appearing for the appellants submits that the said suit is filed by the appellants.

So far, the Civil Court has not granted any interim order in the said suit. Having failed to obtain interim order in the suit, the petitioners have approached this Court by way of the instant writ petition, seeking relief against the

authorities for granting permission to construct the temple. We are not inclined to interfere in the order passed by the learned Single Judge and we are satisfied that the Writ Petition is rightly dismissed with the observation that it is open to the appellants to workout their remedies as available in law.

Writ Appeal is accordingly dismissed.

Consequently, miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

17th JULY, 2015.

S.V. BHATT, J

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