

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

* * * *

-

WRIT PETITION No.38146 of 2015

BETWEEN

T.V. Hemanth Kumar.

... PETITIONER

AND

The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue (Inams) Department, Secretariat, Hyderabad and others.

...RESPONDENTS

DATE OF JUDGMENT PRONOUNCED: 30.11.2015

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

1. Whether Reporters of Local newspapers may be No allowed to see the Judgments?
2. Whether the copies of judgment may be marked No to Law Reporters/Journals?
3. Whether Their Ladyship/Lordship wish to see the No fair copy of the Judgment?

-

-
-
-

ORDER:

Petitioner states that his claim for title is now subject matter of adjudication in WP.No.10672 of 2015 wherein an interim order of status quo was already granted by this Court on 22.04.2015.

However, petitioner states that the said acquired land is now subject matter of reference before the Principal Senior Civil Judge, Tirupati in LAOP.No.32 of 2005. It is also stated that the petitioner filed an implead petition in the said OP on 19.11.2005 but the same was returned unnumbered. The present writ petition is filed seeking a direction to respondents not to pay compensation to third parties in view of the claim of the petitioner being *subjudice* in the writ petition, as above. Petitioner also states that respondents 2 and 3 could not have excluded him while making the said reference to the civil Court.

2. As on today, the petitioner's title is under adjudication and is *subjudice*. If the petitioner seeks any relief relating to the said reference case, appropriate remedy to the petitioner is to approach the said reference Court since he is already stated to have filed an application for impleadment, which is required to be numbered and considered by the reference Court, after the petitioner represents the said IA by complying with the office objections. The relief, under extraordinary jurisdiction of this Court, as prayed for in the present writ petition, being clearly misconceived, cannot be granted. Hence, liberty is granted to the petitioner to represent the said IA for impleadment before the said Court after duly complying with the office objections and await any orders of the civil Court in the said IA.

The writ petition is disposed of with the aforesaid liberty.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

November 30, 2015

DSK