

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.36487 of 2015

Date:09.11.2015

Between:

Allu Venkatramana,

S/o Appalanaidu and six others.

..... Petitioners

And:

The State of A.P., repled by its

Principal Secretary, Endowments

Department, Hyderabad and six others.

.....Respondents

Counsel for the Petitioners: Mr. A.S.C.Bose

Counsel for Respondent Nos.1 to 4: GP for Endowments (AP)

Counsel for Respondent No.5: Mrs. K.Lalitha

The Court made the following:

ORDER:

This Writ Petition is filed feeling aggrieved by auction notice, dated 12.10.2015, in respect of Acs.12.48 cents of land in Survey Nos.357/3 and others of Jaithuvaram Village, Cheedikada Mandal, Visakhapatnam Mandal.

At the hearing, Mrs. K.Lalitha, learned Standing Counsel for respondent No.5-Devasthanam, on instructions, submitted that the impugned auction was held and the same has also been confirmed.

Mr. A.S.C.Bose, learned counsel for the petitioners, has not disputed this submission. This apart, on the petitioners' own showing, the O.A. filed by them before the Endowments Tribunal, Hyderabad and O.S.No.36 of 2005 filed by them before the Senior Civil Judge, Chodavaram, against the previous trustees of respondent No.5-Devasthanam for permanent injunction are pending.

The petitioners pleaded that a temporary injunction granted in the said suit is also subsisting.

In the light of the above facts, I am of the opinion that the petitioners cannot be permitted to raise a dispute in respect of the same property which is the subject matter of a civil suit as well as the O.A. before the Endowments Tribunal. The petitioners are permitted to work out their remedies in the pending legal proceedings.

Subject to the liberty given to the petitioners as above, the Writ Petition is dismissed.

As a sequel to dismissal of the Writ Petition, W.P.M.P.No.47004 of 2015 filed by the petitioners for interim relief shall stand dismissed as infructuous.

JUSTICE C.V.NAGARJUNA REDDY

09th November, 2015

DR