

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

Writ Petition No.30859 of 2015

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Dated 09th November, 2015

Between:

Thakur Harinath Singh and another

...Petitioners

And

The State of Telangana rep.by its Principal Secretary to Government, Municipal Administration and Urban Development, Secretariat Building, Hyderabad -500022 and others

...Respondents

Counsel for the petitioner: Sri R.Dheeraj Singh

Counsel for respondent No.1: GP for Municipal Administration

The Court made the following:

ORDER:

This writ petition is filed for a mandamus to declare the action of respondent No.3 in not complying with order, dated 21.07.2015, in W.P.No.22496 of 2015, by

disposing of the appeal within the time stipulated by this Court.

After hearing Sri R.Dheeraj Singh, learned counsel for the petitioners, I am of the opinion that the petitioners are not entitled to file successive writ petitions with the same grievance. In the above-mentioned writ petition, this Court while declining to interfere with the building permission granted by respondent No.2 in favour of respondent Nos.5 to 10, permitted the petitioners to file an appeal against the impugned building permission and directed the appellate authority to dispose of the appeal within six weeks from the date of filing of the same. As noted hereinbefore, the grievance of the petitioners is that respondent No.3 which is the appellate authority is not disposing of the appeal.

In my view, the petitioners cannot be permitted to file the present writ petition to effectuate the order passed in the previous writ petition. If such practice is permitted, the process will be endless if the respondents may not implement the order that may be passed in this writ petition also. The appropriate remedy for the petitioners would be to initiate proceedings under the Contempt of Courts Act, 1971 if respondent No.3 has not implemented the order of this Court.

In this view of the matter, the writ petition is dismissed with liberty to the petitioner to avail the remedy as indicated hereinbefore.

As a sequel to dismissal of the writ petition, WP.M.P.No.39903 of 2015 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

09th November, 2015

VGB