

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

WRIT PETITION NO.35447 OF 2015

DATED:16-11-2015

Between:

Bandari Rajeshwar ... Petitioner

And

The Municipal Council, Korutla,
Rep. by its Commissioner, Korutla,
Karimnagar District
and others ... Respondents

COUNSEL FOR THE PETITIONER: M/s. K. Vasanth Rao

COUNSEL FOR RESPONDENT NO.1: - Mr. N. Praveen Kumar,
Standing Counsel for
Municipalities (TS)

COUNSEL FOR RESPONDENT NOS.2 and 3: -

THE COURT MADE THE FOLLOWING:

ORDER:

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This writ petition is filed for a mandamus to declare the action of respondent No.1 in trying to mutate relevant records in the name of respondent Nos.2 and 3 and assessing the vacant land tax in their favour for granting permission to them for making construction.

At the hearing, Mr. N. Praveen Kumar, learned Standing Counsel for Municipalities (TS), appearing for respondent No.1, submitted the writ petition is filed based on apprehension and that there is no move from respondent No.1 to act in any manner as alleged by the petitioner in favour of respondent Nos.2 and 3.

On the petitioner's own showing, he has filed O.S. No.107 of 2015 in the Court of the Junior Civil Judge, Korutla, for perpetual injunction against respondent Nos.2 and 3. If that be so, I do not find any reason whatsoever for not impleading respondent No.1 also in the said suit and seek appropriate reliefs. Having already availed the common law remedy, the petitioner cannot be permitted to invoke the jurisdiction of this Court by way of the present writ petition, which constitutes multiplicity of proceedings with respect to the same subject matter.

In this view of the matter, the writ petition is wholly misconceived and the same is accordingly dismissed.

As a sequel to dismissal of the writ petition, W.P.M.P. No.45541 of 2015 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

16-11-2015

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