

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

WRIT PETITION NO.524 of 2015

Between :

Ravula Man Mohan Reddy

..

Petitioner

And

The State of Telangana rep.by its
Principal Secretary, Panchayat Raj
Department, Hyderabad and others.

..

Respondents

DATE OF JUDGMENT PRONOUNCED :12-08-2015

-
SUBMITTED FOR APPROVAL:

-

-

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

-

-

-

1. Whether Reporters of Local Newspapers : Yes / No
may be allowed to see the Judgments ?

2. Whether the copies of judgment may be : Yes / No
marked to Law Reporters/Journals

3. Whether Their Lordship wish to : Yes / No
see the fair copy of the Judgment ?

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.524 of 2015

ORDER :

The petitioner claims to be the owner and in possession of the land in Sy.No.111/A situated at Koutha Village, Boath Mandal, Adilabad District. The petitioner claim that said land is abutting National Highway No.7. While so, the 6th respondent obtained building permission, even though an objection was filed with the Gram Panchayat. Aggrieved thereby, several representations were made by the petitioner, but the same were not disposed of. Hence, this writ petition is filed.

This Court by an order dated 09-02-2015 directed maintenance of status-quo as on that date. Aggrieved thereby, the 6th and 7th respondents filed counter and vacate. According to counsel for the petitioner, the 6th and 7th respondents are illegally encroached into the land of the petitioner and by making false claim have obtained building permission in the Gram Panchayat, which was the property belongs to the petitioner and said illegal construction ought not to have been permitted by the Gram Panchayat and it has no justification for not disposing of the complaint filed before its authorities.

Learned counsel for the 6th and 7th respondents submits that the petitioner filed O.S.No.1 of 2015 on the file of Junior Civil Judge, Boath, making similar allegations seeking for grant of prayer to permanently restrain the defendants from entering and interfering with the possession and enjoyment of the suit schedule property. The

petitioner also filed I.A.No.3 of 2015 and initially ad-interim injunction was granted by the trial Court. However, after hearing the respective parties, by an order dated 10-04-2015, the said injunction application was dismissed. Learned counsel for the petitioner states that aggrieved thereby the petitioner is in the process of filing C.M.A.

Having regard to the submissions made, since on the same subject matter, a civil dispute between the parties is pending in O.S.No.1 of 2015 on the file of Junior Civil Judge, Boath, this writ petition is not maintainable. The petitioner shall have to work out his remedies in the pending suit on the subject grievance.

Accordingly, the writ petition is dismissed. Interim orders granted by this Court in W.P.M.P.No.633 of 2015 stands vacated. There shall be no order as to costs.

Miscellaneous petitions pending, if any, in this writ petition shall stand closed.

P.NAVEEN RAO,J

12-08-2015
nvl