

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIFTH DAY OF JUNE
TWO THOUSAND AND FIFTEEN
PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.18773 of 2015

BETWEEN

G. Venkateswara Rao.

... PETITIONER

AND

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

...RESPONDENTS

Counsel for the Petitioner: MR. M. JANARDHANA RAO

Counsel for the Respondents: GP FOR REVENUE (AP)

The Court made the following:

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ORDER:

Petitioner seeks a Mandamus against the third respondent,
who is Deputy Registrar of Chits and who is seized of Arbitration Dispute

No.142 of 2014 between respondent No.4/disputant and the petitioner and others as opponents, in entertaining the aforesaid arbitration dispute on the ground that averments relating to the demand promissory note and the interest mentioned therein were found to be totally incorrect as per the information furnished to him under the Right to Information Act. On the basis of the above,

the petitioner states that there is serious doubt on the validity of the promissory note filed in the arbitration case.

2. Though a Writ of Mandamus is sought by the petitioner, it is in the nature of a Writ of Prohibition. Even assuming that the aforesaid contention is correct, I do not see any inherent lack of jurisdiction in the third respondent in entertaining the arbitration dispute.

Petitioner, being a party thereto, is free to raise all his contentions and raise all the grounds, which he seeks to raise, but merely on the ground of some documentary information received by him under the RTI Act, the remedy provided to the fourth respondent in seeking arbitration of the dispute before the third respondent cannot be interdicted. The relief sought for, therefore, cannot be granted.

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

VILAS V. AFZULPURKAR, J

June 25, 2015
DSK