

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

WRIT PETITION No.39362 of 2015

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04.12.2015

Between:

Syed Abdul Arif and others

.. Petitioners

and

The State of Telangana,

represented by its Chief Secretary,

General Administration Department,

Hyderabad and others

.. Respondents

Counsel for the petitioners: Mr.Shaik Jilani

Counsel for respondent No.1: Government Pleader

for General Administration Department (TS)

Counsel for respondent No.2: Government Pleader

for Municipal Administration and Urban Development (TS)

Counsel for respondent Nos.3, 9 and 10: Government Pleader

for Revenue (TS)

Counsel for respondent Nos.4 to 6: Government Pleader
for Home (TS)

Counsel for other respondents: --

The Court made the following:

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ORDER:

This case physically weighty though deserves to be thrown out in *limine* for the simple reason that 1,955 persons, among the petitioners herein, have already filed W.P.No.18668 of 2013 in respect of the same property, which is the subject matter of the present writ petition. The only explanation offered by Mr.Shaik Jilani, learned counsel for the petitioners, for filing this writ petition when the previous writ petition referred to above is pending and an order of *status quo* to protect the possession of the petitioners has been passed therein, is that some of the parties, who are impleaded in this writ petition, are not impleaded in the previous writ petition and that the relief of inaction of the Greater Hyderabad Municipal Corporation (GHMC) in removing the alleged unauthorized constructions made by some private parties is not claimed in the previous writ petition.

In my opinion, having already approached this Court by filing a writ petition, the petitioners cannot be permitted to have the luxury of indulging in multiplicity of proceedings by splitting the reliefs. Even if certain reliefs were omitted in the previous writ petition, nothing prevents the petitioners from claiming those reliefs by way of amendment and similarly, if any functionary or party is not impleaded in the previous writ petition, the petitioners can seek their impleadment.

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

Since the petitioners have paid a huge amount of Court fee of Rs.2,29,600/- and the writ petition is being dismissed in *limine*, they are entitled to seek refund of the Court fee as per the Andhra Pradesh Court Fees and Suits Valuation Act, 1956.

As a sequel to dismissal of the writ petition, W.P.M.P.No.50769 of 2015 filed by the petitioners for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

04th December, 2015

GHN

