

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

(Special Original Jurisdiction)

PRESENT

THE HON'BLE THE
CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.36956 OF 2014

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DATED: 09-02-2015

Between:

Alladi Gowri Shanker and others

.. Petitioners

And

The State of Telangana, rep. by its
Principal Secretary, Revenue
Department and others

.. Respondents

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI
SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR

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ORDER: (per Hon'ble The Chief Justice Sri Kalyan Jyoti Sengupta)

This writ petition is a sheer abuse of the process of this Court. Initially, a learned Single Judge of this Court entertained this writ petition and issued notice after taking further steps in spite of the fact that a civil suit was filed by the petitioners on the same issue. In fact, the petitioners made an incorrect statement in para 20 of the writ petition that no suit or any proceeding had been filed before any Court of law nor any proceedings with regard to the subject matter were pending before any other Court. Subsequently, another learned Single Judge before whom the matter was taken for further steps found that the litigation was in the nature of a public interest litigation. Now, the matter has been placed before us on the strength of an administrative order of the Hon'ble The Chief Justice.

We dismiss the writ petition as we find that a civil suit is pending with regard to the same subject matter. However, we notice that in terms of the interim order, the petitioners deposited a sum of Rs.1,00,000/- in the shape of fixed deposit receipts. These fixed deposit receipts shall be returned to the petitioners. However, the petitioners shall pay costs of Rs.5,000/- in this petition to the High Court Legal Services Committee within a fortnight from the date of communication of this order. After production of proof of payment of costs only, the fixed deposit

receipts shall be returned by the Registry. The civil suit will be proceeded with in accordance with law, uninfluenced by the dismissal of this writ petition, as it has been done because of the misstatement and initiating parallel proceedings.

Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

K.J. SENGUPTA, CJ

SANJAY KUMAR, J

09-02-2015

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