

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.21533 OF 2016

ORDER:

The case of the petitioner is that he is the owner of the lands in Sy.No.41 of Khanamet Village, Serlingampally Mandal, Ranga Reddy District. While so, he filed O.S.No.331/1987 against the respondents for recovery of possession and the said suit was dismissed. Against the same, the petitioner filed A.S.No.2731 of 1996 before this Court and the said appeal was dismissed for default for non appearance of the counsel. Later he filed restoration petition in ASMP.No.411 of 2016, and the same is pending. Meanwhile, the 2nd respondent issued impugned notification for sale of the lands in Sy.No.41 belonging to the petitioner, which is included at Sl.No.1 to 13 of notification. Aggrieved by the same, the present writ petition is filed.

Learned counsel for the petitioner submits that the respondent officials admitted that the Government does not have any properties in Sy.No.41, as such they cannot go for auction in respect of the lands belonging to the petitioner in Sy.No.41. Moreso, the restoration petition filed by the petitioner is also pending before this Court.

Heard the learned Assistant Government Pleader for Revenue and Sri L.Prabhakar Reddy, learned counsel for the 2nd respondent.

In the present case, the petitioner already filed the suit for recovery of possession and the same was dismissed. Against the same, when an appeal is filed, the same is dismissed for default. Now the restoration petition filed by the petitioner is pending before this Court, as such petitioner cannot file the present writ petition for the same relief. Therefore, the petitioner has to work out his remedies in the civil proceedings which he has already initiated.

In view of the above, I do not any merit in the writ petition and accordingly, the writ petition is dismissed. No costs. As a sequel to the

disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

05-07-2016

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