

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.27074 OF 2016

ORDER:

The case of the petitioners is that they filed O.S.No.266 of 2014 on the file of Junior Civil Judge, Tanuku seeking cancellation of the sale deed dated 09.06.2010 vide Doc.No.2537 of 2010 obtained by the 6th respondent at the instance of playing fraud by his father against them in respect of the subject land. Pending the said litigation, the 6th respondent executed a registered sale deed dated 18.03.2015 in favour of the 7th respondent who in turn entered into Lease Agreement with the 8th respondent, who intend to establish the Petrol Pump.

Heard the learned counsel for the petitioners and the learned Assistant Government Pleader for Revenue.

In the present case, it is to be taken note of that once the matter is pending before the competent Court of civil jurisdiction, the petitioners have to obtain appropriate orders and they cannot simultaneously pursue two remedies seeking the same relief by initiating suit and another proceeding by way of filing this writ petition, by virtue of the application of doctrine of *lis pendency*.

In view of the same, I am not inclined to entertain the writ petition. 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

19-08-2016
dv