

THE HON'BLE SRI JUSTICE A.RAJASEKHAR REDDY

W.P.NO.24910 OF 2016

ORDER

Alleging that the 4th respondent – Tahsildar, is interfering with the possession of the petitioners over the subject land at the instance of 5th respondent – party, in violation of principles of natural justice, the present writ petition has been filed.

The learned Assistant Government Pleader based on the written instructions given by the 4th respondent – Tahsildar, Venkatapur in Rc.No.A/714/2016 dated 22.08.2016, stated that the petitioners are not in possession of the subject land and they have no right over the same and hence the question of interference does not arise. He further states that in the revenue records, the subject lands stand in the name of the 5th respondent and his family members. Already civil suit in O.S.No.420/2015 is pending between the petitioners and the 5th respondent. Therefore, he seeks to dismiss the writ petition.

The learned counsel for the petitioners has not disputed with regard to pendency of civil suit between the parties.

From the above submissions of the learned Assistant Government for Revenue, it could be seen that civil suit is pending between the petitioners and the 5th respondent. Hence, petitioners cannot pursue parallel remedies. In view of these circumstances, I am not inclined to entertain the writ petition.

The writ petition is accordingly dismissed. No costs. Miscellaneous petitions pending if any, shall stand closed.

It is always open to the petitioners to agitate their rights in the civil suit already filed.

AVS

02—09—2016