

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.33676 OF 2016

ORDER

This writ petition is filed for a writ of *mandamus* declaring the action of the 4th respondent in registering the documents presented by the respondents 5 to 9 with regard to the lands mentioned in I.A.No.764 of 2016 in O.S.No.403 of 2016 on the file of the Principal Junior Civil Judge, Chittoor and for not considering the petitioner's legal notice dated 06.09.2016, as illegal and arbitrary.

Heard the learned counsel for the petitioner.

Learned Assistant Government Pleader submits that the civil suit filed by the petitioner in O.S.No.403 of 2016 is pending before the Principal Junior Civil Judge, Chittoor.

Since the petitioner had already filed the above suit in respect of the subject property, which is also the subject matter of the present writ petition, he cannot simultaneously initiate proceedings one by way of suit and the other by way of the present writ petition.

In view of the same, I am not inclined to entertain the writ petition. However, it is open for the petitioner to pursue his grievance, in the suit already filed before the Court below.

Accordingly, the writ petition is dismissed with the above observation. No costs. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

Date: 13.10.2016
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