

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.20353 OF 2016

ORDER:

This writ petition is filed for a writ of mandamus declaring the action of the respondent authorities in proposing to disburse the compensation amount pertaining to the land in Sy.No.219 admeasuring Ac.5.20 gts situated at Mupparam Village, Dharmasagar Mandal, Warangal District in favour of the 5th respondent during the pendency of the suit in O.S.No.321 of 2010 on the file of the I Additional Senior Civil Judge, Warangal, as illegal and arbitrary.

The case of the petitioner is that he filed a suit in O.S.No.321 of 2010 for declaration of title and recovery of compensation against the 5th respondent and in the said suit I.A.No.223 of 2016 is filed for grant of interim injunction restraining the 5th respondent from claiming compensation in respect of the land in Sy.No.219 admeasuring Ac.5.20 guntas. The said I.A was dismissed on 09.03.2016 holding that the same is premature giving liberty to the petitioner to approach the revenue authorities in respect of his claim. In pursuance to the said order, the petitioner made representation before the respondent authorities on 17.02.2016 reiterating the above said facts. Since no orders are passed on the same, the present writ petition is filed.

Heard the learned counsel for the petitioner and the Special Government Pleader appearing on behalf of Additional Advocate General.

It is to be seen that petitioner filed I.A. with the very same relief in the Court below and the Court below dismissed the same. When once the rights have to be decided in O.S.No.321/2010, the petitioner cannot approach this Court seeking self-same relief.

In view of the same, I do not see any merit in the writ petition. Accordingly, the writ petition is dismissed. There shall be no order as to costs.

As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

27-06-2016

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