

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.7338 of 2016

ORDER :

Heard the counsel for petitioner, the learned Government Pleader for Revenue (Telangana) for respondent nos.1 to 4 and 6, Sri N. Praveen Kumar, counsel for 5th respondent.

2. This Writ Petition is filed by petitioner seeking a direction to respondents not to allot land of extent Ac.0.09 guntas in Survey No.1508 (Old) corresponding to new Survey No.1650 situated at Eidgaon locality of Nirmal Village and Town in Adilabad District for construction of '*Dargah*' or '*Urdu Hall*'.

3. It is not in dispute that petitioner has filed O.S.No.18 of 2013 before the IV Additional District Judge-cum-Family Court, Adilabad against respondents as well as one Qamarunnisa Begum for declaration of his title, and for perpetual injunction in respect of the subject land which is pending before the said Court.

4. The counsel for petitioner states that petitioner has also filed I.A.No.84 of 2016 in the said suit for a temporary injunction against defendants therein and that the matter had been posted to 17.03.2016.

5. In view of the above facts, since petitioner cannot simultaneously invoke the jurisdiction of this Court on the same issue, the Writ Petition is disposed of directing the IV Additional District Judge-cum-Family Court to decide I.A.No.84 of 2016 in O.S.No.18 of 2013 on or before 17.03.2016. No order as to costs.

6. The learned Government Pleader for Revenue states that he would instruct his counter-part in the said suit to co-operate in the disposal of the I.A. by filing a counter-affidavit in advance.

7. As a sequel, miscellaneous petitions pending if any in this Writ Petition, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 09-03-2016

Note :

(1) Issue C.C. tomorrow.

(2) The Registry is directed to communicate the order to the IV Additional District Judge-cum-Family Court, Adilabad.

B/o.

Ndr/*