

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.2851 of 2016

Date:01.02.2016

Between:

Kamsali Srinivasulu,
S/o Late Narayana and another.

..... Petitioners

And:

The State of Telangana., repled, by its
Principal Secretary, Municipal Administration
Hyderabad and five others.

.....Respondents

Counsel for the Petitioners: Mr. K.Goverdhan Reddy

Counsel for Respondent No.1: AGP for Municipal Admn.
(TS)

Counsel for Respondent No.3: AGP for Home (TS)

The Court made the following:

ORDER:

This Writ Petition is filed for the following
substantive relief:

“... to issue a Writ of *Mandamus* directing
respondent No.1 to take immediate action
against respondent Nos.4 to 6 to stop the
illegal constructions, as the same were made
without there being any valid title, by taking
into consideration the representations, dated
04/01/2016, 06/01/2016 and 11/01/2016 and
consequently, to declare the action of

respondent No.2 as illegal, void in not taking any action against respondent Nos.4 to 6 for stopping the illegal constructions.”

From the pleadings of the affidavit, it is evident that the petitioners have filed Writ Petition No.19283 of 2011 for the same relief which is claimed in this Writ Petition with the only difference that the construction was sought to be made by the vendors of respondent Nos.4 to 6. While admitting the said Writ Petition, this Court has restrained the vendors of respondent Nos.4 to 6 from raising further construction. After the filing of the said Writ Petition, the private respondents therein have sold the property to respondent Nos.4 to 6. The petitioners cannot be permitted to file a fresh Writ Petition for the same relief which was claimed in the previous Writ Petition on the ground that the purchasers are not parties to the said Writ Petition. The appropriate remedy for the petitioners is to implead respondent Nos.4 to 6 herein in the said Writ Petition and seek grant of similar interim order against the said respondents as well. The petitioner has needlessly indulged in multiplicity of proceedings by filing the present Writ Petition. Hence, I am not inclined to entertain the same and instead, while dismissing the Writ Petition, the petitioners are permitted to file appropriate applications in Writ Petition No.19283 of 2011 in order to claim reliefs against respondent Nos.4 to 6.

As a sequel to dismissal of the Writ Petition, W.P.M.P.No.3576 of 2016 shall stand dismissed as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

*01st February, 2016
DR*