

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.29291 OF 2016

ORDER:

This petition is filed seeking to declare the action of the respondents in trying to dispossess the petitioners from their plots by demolishing the houses constructed there covered by Survey No.54 of Madhurawada known as Bottavanipalem layout which were allotted to them by the Social Welfare Department in lieu of demolition of their earlier houses in road widening that occurred during 1987, under duly issued identity cards with plot numbers, without issuing any notice, without giving any opportunity of being heard and without passing any order, as illegal and arbitrary.

Heard both sides.

According to the learned counsel for the petitioners, the petitioners have already filed civil suits against the respondents and obtained injunction orders. In spite of injunction orders, the respondents are trying to dispossess the petitioners by demolishing their houses in the plots. In view of the above submission, this Court is of the opinion that the petitioners cannot simultaneously pursue two

remedies, one by way of a civil suit and the other by way of writ petition, Hence, I am not inclined to entertain the writ petition.

Accordingly, the writ petition is dismissed. However, this order will not preclude the petitioners from enforcing their legal rights in the civil suit filed by them. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

30.08.2016
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A.RAJASHEKER REDDY, J

