

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.43886 OF 2016

ORDER :

This writ petition is filed against Notice No.Dy.E.E/SD1/Divn4/LMD/388, dated 09.12.2016 issued by the 3rd respondent.

Heard learned counsel for the petitioner and learned Government Pleader for Irrigation appearing for the respondents 1 to 3.

Learned counsel for the petitioner submits that when I.A.No.1572 of 2014 in O.S.No.323 of 2014 filed by the petitioner was dismissed by the Principle Junior Civil Judge, Karimnagar vide orders dated 11.03.2016, the petitioner filed appeal against the said order and same is pending.

On the other hand, learned Government Pleader for Irrigation submits that injunction application filed by the petitioner was dismissed on 11.03.2016. Though the petitioner filed appeal against the same, no interim orders were granted in the said appeal. He submits that earlier writ petition filed by the petitioner was also dismissed.

In this case, it is to be seen that in respect of the same subject property in the writ petition, the petitioner has filed O.S.No.323 of 2014 along with injunction petition i.e., I.A.No.1572 of 2014 before Principle Junior Civil Judge, Karimnagar and the same has been dismissed vide elaborate order dated 11.03.2016. Having approached the Civil Court by filing appeal against the dismissal order, the petitioner ought to

have obtained interim order in the appeal instead of filing the present writ petition. In view of the same, I do not see any reason to entertain the writ petition.

Accordingly, this writ petition is dismissed. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, shall stand closed.

A.RAJASHEKER REDDY, J

16.12.2016
kvs



HON'BLE SRI JUSTICE A.RAJASHEKER REDDY



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Date: 16.12.2016

