

HONOURABLE SRI JUSTICE S. V. BHATT

WRIT PETITION No.22221 OF 2017

ORDER:

This Writ Petition is filed for the following relief:

“to issue a writ of mandamus declaring the action of the respondents 2 to 5 from interfering with the lawful possession and enjoyment of the petitioners over the land admeasuring Ac.3.02 gts., out of total extent of Ac.2-21 gts. In Sy.No.128, situated at Garapally Revenue Village of Kataram Mandal, Jayashankar Bhupalpalli District, is illegal, arbitrary, without jurisdiction, against the principles of natural justice and under Article 300(A) of the Constitution of India and consequently direct the respondents 2 to 5 not to interfere in respect of petitioners land admeasuring Ac.3-02 gts., in Sy.No.128, situated at Garapally Revenue Village of Kataram Mandal, Jayashankar Bhupalpalli.”

Admittedly, the petitioners have filed Writ Petition No.4119 of 2010 more or less for the relief prayed for in the instant writ petition. The petitioners by impleading the Superintendent of Police and his subordinates, have filed the instant petition for the same or similar prayer.

This Court is of the view that WP No.4119 of 2010 is still pending and during the pendency of the writ petition a few developments have taken place warranting change of array of parties or inclusion of additional prayers, the petitioners have to file petitions in the pending writ petition, but not to file a separate writ petition more or less for the same relief.

The writ petition is, accordingly, dismissed by granting liberty to the petitioners to workout remedies in WP No.4119 of 2010. The miscellaneous petitions, if any, filed in this writ petition shall also stand dismissed. There shall be no order as to costs.

S.V. BHATT, J

July 06, 2017
KTL