

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.5030 OF 2017

ORDER:

The case of the petitioner is that he filed OS.No.193 of 1999 and obtained *status quo* order in IA.No.1528 of 1999 dated 31.12.1999, which is in force. In spite of the same, the respondents are trying to demolish the structures of the petitioner. Aggrieved by the same, present writ petition is filed.

Heard learned counsel for the petitioner.

Learned Assistant Government Pleader for Revenue submits that when already petitioner has instituted civil suit and obtained *status quo* orders, he cannot again file present writ petition. He also submits that the earlier the petitioner filed writ petition and writ appeal and that both were withdrawn by the petitioner.

In view of the above, the petitioner cannot pursue two parallel remedies one by way of writ petition and another by way of civil suit. As such, I do not see any reason to entertain the writ petition. But, since it is stated that *status quo* order passed by the Civil Court is in force, the respondents are obligated to respect the same.

Accordingly, the writ petition is dismissed. However, if *status quo* order is violated by the respondents, it is open for

the petitioner to take appropriate step regarding the same. No order as to costs.

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

A.RAJASHEKER REDDY, J

14.02.2017
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