

HON'BLE SRI JUSTICE S.V. BHATT

W.P. No. 26603 OF 2013

ORDER:

The petitioner prays for the following relief:

“...writ of Mandamus declaring the action of the respondents 3 to 5 in interfering while making construction of compound wall covered by ID.No.146, Old S.No.14 and New S.No.24 in a total extent of about 735 sq. yards situated Visakhapatnam Municipal Corporation limits, Visakhapatnam District in the suit schedule property, in spite of injunction granted in As.No.307/2012 by the Learned VII Addl. District Judge (FTC), Visakhapatnam, dated 20.7.2013 is illegal, arbitrary and disobedience of the orders passed by the Learned VII Addl. District Judge (FTC), Visakhapatnam and consequently direct the respondents 1 to 2 to consider the application of the petitioner dated 3.9.2013 for grant of police aid for construction compound wall, covered by ID.No.146, Old S.No.14 and New S.No.24 in a total extent of about 735 sq. yards situated Visakhapatnam Municipal Corporation limits, Visakhapatnam District...”

After hearing Smt.P.Radhika for some time and perusing the record, this Court is of the view that petitioner and respondents 3 to 5 are before the civil Court and the petitioner, if aggrieved by interference of respondents 3 to 5 or otherwise has to move the very same court before which lis is pending for a relief as is warranted by the circumstances. The remedy at this stage is misconceived. Hence, the writ petition is dismissed. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

S.V.BHATT, J

Date: 22.11.2017
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