

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.5531 of 2017

ORDER:

The case of the petitioner is that his father filed OS.No.361 of 2008 on the file of the XI Additional District Judge (FTC) Ranga Reddy District against one Mohd.Khasim and others for partition and separate possession in respect of the suit property i.e., the land admeasuring Ac.24.08 guntas in Survey Nos.90 and 91, situated at Tattiannaram Village, Hayathnagar Mandal, R.R.District. During pendency of the said suit, the 6th respondent got himself impleaded as party defendant claiming that he purchased the portion of the suit property i.e. Ac.3.36 guntas from one Syed Abdul Majeed who is said to be the GPA holder of Mohd.Khasim. While so, pending suit, the 6th respondent is trying to present documents before respondent authorities for registration. Aggrieved by the same, present writ petition is filed seeking direction to respondents 3 to 5 not to receive and register any document presented by the 6th respondent in respect of the aforesaid land.

Learned counsel for the petitioner submits that though injunction was granted by the trial Court in suit OS.No.361 of 2008, the same was vacated by the appellate Court and CRP filed against the same is pending before this Court.

Heard learned Assistant Government Pleader for Revenue.

When civil Suit filed by the petitioner's father is already pending before the Civil Court, it is for the petitioner to obtain orders from the civil Court. Since it is stated that the injunction order passed by the Court is vacated and that petitioner filed CRP before this Court against the same, it is for the petitioner to obtain appropriate orders in the CRP. Pending civil litigation, the petitioner cannot again approach this Court by filing this writ petition and cannot pursue two parallel remedies. In view of the same, I do not see any reason to entertain the writ petition.

Accordingly, the writ petition is dismissed. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

16.02.2017
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A.RAJASHEKER REDDY, J