

* HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
HON'BLE SRI JUSTICE N.BALAYOGI

+ Writ Petition No.4431 of 2018

% 06-6-2018

Ashok Kumar Patil, S/o. Keshav Rao Patil,
Aged 60 years, Occ: Advocate,
R/o. H.No.6-3-113, Shivajinagar, Sangareddy

... Petitioner

Vs.

\$ 1. The High Court of Judicature at Hyderabad
for the State of Telangana and for the State of
Andhra Pradesh, Rep. by its Registrar,
High Court Bldg., Hyderabad

2. The Registrar (Vigilance),
High Court Bldg., Hyderabad

3. The Prl. District Judge, Medak at Sangareddy

4. The VIII Addl. District and Sessions Judge
at Medak Town, Medak

5. N.Raj Kumar, Aged 61 years, Occ: Retd. Addl. DJ.,
R/o. Ammuguda Church Colony, Sainikpuri,
Secunderabad

6. S.Prabhu, S/o. Shivaiah, Aged 50 years,
Occ: Advocate, R/o. H.No.4-7-8/9/2,
Revenue Colony, Sangareddy

... Respondents

! Counsel for the Petitioner: Mr. J.P. Srikanth

Counsel for Respondents 1 to 4: Mr. Swaroop Oorilla,
Standing Counsel for TAPHC

Counsel for Respondents 5&6: ---

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> Head Note:

? Cases referred:
Nil.

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Order: (per V.Ramasubramanian, J.)

The petitioner who is an Advocate practising in Sangareddy District has come up with the above writ petition challenging the inaction on the part of the respondents 2 and 3 in respect of a representation made by him demanding an enquiry into the manner in which certified copies of the judgments and decrees in certain L.A.O.Ps were issued in the name of the 6th respondent, who is also an Advocate.

2. Heard Mr. J.P. Srikanth, learned counsel for the petitioner. Mr. Swaroop Oorilla, learned Standing Counsel, takes notice for the respondents 1 to 4.

3. It appears that the petitioner entered appearance in a batch of references made to the VIII Additional District Court, Medak Town, under Section 18 of the Land Acquisition Act, 1894. It appears that the Reference Court enhanced the compensation.

4. The grievance of the petitioner is that the 6th respondent filed copy applications, received certified copies of the judgment and decrees and he has started making a claim on the land owners for fees. According to the petitioner, he filed statements of claim, conducted the proceedings, argued the matter and successfully obtained enhancement of compensation and that before he or the land owners could reap the benefit of his success, the 6th respondent-Advocate has taken away part of the same.

5. But we do not think that the aforesaid grievance of the petitioner, can be redressed by this Court. On instructions it is stated that the petitioner as well as the 6th respondent filed joint vakalats. Though according to the petitioner, they filed a joint vakalat only in one out of five cases, the fact remains that they have acted together at least in respect of one case, though it may be in respect of a few claimants.

6. In normal circumstances, a claim for fee legitimately due to a lawyer, can be made by the lawyer on the clients who engaged his services. Merely because another lawyer filed a certified copy, we do not think that any client will make payment of the fee to that lawyer who secured the copies of the judgments and decrees.

7. The dispute between the petitioner and the 6th respondent is one arising probably out of a partnership created by will and convenience. This cannot be resolved by this Court by adjudicating as to who between the two is entitled to fee from the litigants before the Land Acquisition Court. It is with his own clients that the petitioner should take up his cause before they make payment to anyone else. Hence, the writ petition is dismissed. The interlocutory applications, if any, pending in this writ petition shall stand closed. No costs.

V.RAMASUBRAMANIAN, J.

N.BALAYOGI, J.

06th June, 2018.
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AND
HON'BLE SRI JUSTICE N.BALAYOGI

Writ Petition No.4431 of 2018
(per VRS, J.)



06th June, 2018.
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