

**THE HON'BLE SRI JUSTICE S.V.BHATT**

**W.P. No.16964 of 2018**

**ORDER:**

The petitioner prays for the following relief:

“....Writ of Mandamus by directing respondent No.3 not to entertain an application, to process and grant permission to respondents 5 to 7 filed by them for seeking permission to convert agricultural lands to non-agricultural covered by Sy.No.161/E, Ac.01.14 gts in Sy.No.162/EE situated at Thondapally Village, shamshabad Mandal, R.R.District till the disposal of civil suit (suit for partition, separate possession and cancellation of sale deeds standing on names of respondents 5 to 7 covered by O.S.No.939/2017 pending on the file of Hon'ble XIV ADJ, Ranga Reddy District at L.B.Nagar.....”

Without going into the details stated in the affidavit, by referring to the writ prayer, it can be concluded that the prayer restraining the authorities from discharging their statutory duty cannot and ought not to be considered by the Court under Article 226 of Constitution of India. Further, the petitioner along with his sister filed O.S.No.939 of 2017 on file of XIV Additional District Judge, Ranga Reddy District, L.B.Nagar and the subject matter of the writ petition and one of the items in the plaint schedule is one and

the same. Either for preservation of physical features of the plaint schedule property, preventing creation of 3<sup>rd</sup> party interest or change of classification, the petitioner can certainly work out interim prayers in the pending suit.

By granting liberty to move appropriate applications, the writ petition is disposed of. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

Dt: 04.06.2018  
dv



**S. V. BHATT, J**

