

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

and

The Hon'ble Sri Justice Gudiseva Shyam Prasad

Writ Petition Nos.24147, 24173 & 24174 of 2015

Date: 05.07.2018

WP.No.24147/2015

Between:

Smt.B.Narmada

... Petitioner

and

State of Telangana
Hyderabad
rep. by its Prl.Secretary

...Respondents

Counsel for the Petitioner: Mr.Subrahmanyam Kurella

Counsel for respondent Nos.1 & 2: AGP for Civil Supplies

Counsel for respondent Nos.3 & 4: Mr.G.Shashidhar Reddy

The Court made the following:

Common Order: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

These three Writ Petitions are filed for an unusual relief of an injunction against the private respondents from alienating the flats, which are the subject matter of dispute in CC.No.130 of 2015 on the file of the Telangana State Consumer Disputes Redressal Commission at Hyderabad (for short 'the State Commission').

Admittedly, the petitioners have filed Interlocutory Applications for the same reliefs, which are claimed in these Writ Petitions as the main reliefs. As the petitioners have already availed the legal remedies, they are not entitled to avail parallel remedies by invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India. The only justification given by the petitioners for approaching this Court is that the State Commission has not been disposing of the IAs. Such a ground does not constitute justification for the petitioners to maintain these Writ Petitions. If the State Commission is not discharging its functions properly, the petitioners ought to have sought for a Mandamus to direct it to dispose of the IAs.

Be that as it may. Mr.K.Subrahmanyam, learned Counsel for the petitioners, conceded that recently, the President of the State

Commission has been appointed and that the State Commission is functioning.

In the light of this subsequent development, we are not inclined to adjudicate these Writ Petitions on merits.

The Writ Petitions are, accordingly, dismissed giving liberty to the petitioners to pursue their cases pending before the State Commission and also the IAs stated to have been filed by them for interlocutory reliefs. To facilitate the petitioners to avail appropriate interim reliefs, interim orders, dated 04-08-2015, passed in these Writ Petitions, shall continue for a period of one month.

As a sequel, Miscellaneous Petitions, pending if any, stand disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

(Gudiseva Shyam Prasad, J)

Dt: 5th July, 2018
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