

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

and

The Hon'ble Sri Justice Gudiseva Shyam Prasad

Writ Petition No.19433 of 2007

Date: 06.09.2018

Between:

N.Nagamani

..Petitioner

and

Balusu Chowdarayya and another

..Respondents

Counsel for the petitioner:

Mr.K.Venkatesh

Counsel for respondent:

**Mr.J.Anil Kumar,
SC for Legal Services Authority**

The Court made the following:



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

This Writ Petition is filed for the following substantive relief:

“to issue appropriate writ or order or direction more particularly one in the nature of writ of mandamus calling the records pertaining to LAC No 220 of 2007 in OS.No. 322 of 2002 on the file of the 2nd respondent and quash award made in LAC.No.220 of 2007, dated 5-5-2007, as it was obtained by playing fraud by the 1st respondent in the interest of justice.”

On 04-07-2011, this Court has passed the following order:

“In this writ petition of the year 2007, notice on the R.1 has not been served and there is also batta due with a petition and detailed address of the above respondent.

In the circumstances, petitioner/s shall take steps for service of notice on the above respondent by registered post acknowledgement due and file proof of service within a period of two weeks from today. In default, the writ petition shall stand dismissed as against the respondent No.1.”

The endorsement made by the Registry shows that as notice has not been served on respondent No.1, who is the contesting respondent and beneficiary under the impugned Lok Adalat Award, the Writ Petition stood dismissed as per Order, dated 04-07-2011. With the dismissal of the Writ Petition against respondent No.1, the cause of action does not survive for adjudication.

Hence, this Writ Petition is dismissed as infructuous.

As a sequel to dismissal of the Writ Petition, WPMP.No.25005 of 2007, filed by the petitioner to expedite the hearing of the Writ Petition, is dismissed as infructuous.

(C.V.Nagarjuna Reddy, J)

(Gudiseva Shyam Prasad, J)

Dt: 6th September, 2018
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