

HONOURABLE SRI JUSTICE U. DURGA PRASAD RAO

Writ Petition No.3936 of 2008

ORDER

The petitioners seek a writ of Certiorari to call for the records relating to G.O.Ms.No.1 Home (General A-1) Department, dated 04.01.2008 passed by the 1st respondent and quash the same as being arbitrary, illegal and contrary to law and for a consequential direction to renew the license for running Rose Talkies in favour of the petitioners.

2a) When the matter came up for hearing, learned counsel for petitioners would submit that writ petitioners have challenged the order in G.O.Ms.No.1 Home (General A-1) Department, dated 04.01.2008 passed by the 1st respondent, whereunder the appeal filed by the petitioners was rejected by the 1st respondent consequent to which the office of 2nd respondent put the lock and key to the Rose Talkies, Karimnagar.

b) Learned counsel would submit that since the date of said order, Rose Talkies is not in operation and though the present writ petition is filed seeking to declare the said order as arbitrary, however, petitioners are not pressing for that relief in view of efflux of time. He would submit that in respect of said Rose Talkies and the land on which the said theatre stands and also other properties disputes are pending between the petitioners and respondents 3 to 13 which they will work out in a competent civil court and therefore, the writ petition may be closed giving liberty to the parties to work out their remedies before an

appropriate civil court. Learned counsel requests for passing an incidental order to direct the office of 2nd respondent to remove the lock put on to the Rose Talkies, Karimnagar after payment of any dues to the 2nd respondent.

3) Sri T.Sharath, learned counsel representing Sri M.A.Bari, learned counsel for the respondents 3 to 13 reported no objection. Learned Government Pleader for Home representing respondents 1 and 2 while reporting no objection would, however, submit that respondent authorities need reasonable time to verify whether any dues are pending.

4) In view of the above submission of all parties concerned, this Writ Petition is closed giving liberty to the writ petitioners and respondents 3 to 13 to work out their remedies in respect of the property disputes before an appropriate civil court. The 2nd respondent shall, within three(3) weeks from the date of receipt of a copy of this order, inform to the writ petitioners regarding pending dues and on clearing all those dues, shall remove the locks put on to the Rose Talkies, Karimnagar and handover the possession to the writ petitioners under due Panchanama. No costs.

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

U. DURGA PRASAD RAO, J

Date: 05.09.2018

Isl/Murthy