

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.26658 of 2018

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking to declare the action of the respondents in interfering with the petitioners' peaceful possession and enjoyment over the subject houses situated at Balasaraswathi Nagar, Malkajgiri Municipality, Ranga Reddy District, as arbitrary and illegal.

2. Heard learned counsel for the petitioners and the learned Standing Counsel appearing for the respondents.

3. It is not in dispute before this Court that the petitioners have already filed a suit in O.S.No.72 of 2018 on the file of Court of Senior Civil Judge, Ranga Reddy District at L.B.Nagar, for perpetual injunction, against the respondents herein, whereas the present Writ Petition is filed seeking the same relief.

4. Learned counsel for the petitioners submits that though the suit is filed in view of threat of dispossession of petitioners from the subject houses, the defendants in the said suit are taking time.

5. Since the petitioners have already filed a suit seeking the same relief, as sought for in the present Writ Petition, they cannot be permitted to prosecute two parallel proceedings in respect of same issue.

6. Therefore, on that ground only, the Writ Petition is dismissed as the petitioners have already availed the alternative remedy. It is needless to observe that the Court below is expected to dispose of the Interlocutory Application in O.S.No.72 of 2018 pending on its file, as

early as possible, as the relief sought for in the said suit relates to threat of dispossession of petitioners from the subject houses.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAJASHEKER REDDY, J

AUGUST 23, 2018

Note:
Furnish C.C. tomorrow.
(B/o)
YVL



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Date:23.08.2018

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