THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.26949 of 2018

ORDER:

The petitioner herein claims to be the purchaser of the land from the plaintiffs in O.S.No.1058 of 2007, which is pending on the file of the Court of the Principal District Judge, Ranga Reddy District, at L.B.Nagar. One Smt.P.Srikantha and G.S.Chandrakantha instituted the said suit for partition. According to the petitioner the said suit is pending.

The grievance of the petitioner in the present Writ Petition, as advocated by the learned Counsel for the petitioner, is that the petitioner is the purchaser from the plaintiffs and if the defendants in the said suit are allowed to make constructions in the subject property, he will be put to lot of inconvenience and hardship if the said property is allotted to the vendors of the petitioner herein.

In the considered opinion of this Court, the present Writ Petition cannot be maintained before this Court under Article 226 of the Constitution of India when a civil suit for the relief of partition instituted by the alleged vendors of the petitioner is pending consideration before the competent civil Court.

For the aforesaid reasons, the Writ Petition is dismissed. There shall be no order as to costs.

Miscellaneous Petitions pending consideration, if any, in this Writ Petition shall stand closed.

JUSTICE A.V.SESHA SAI

Date :30.08.2018
Smr