

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.28512 of 2018

ORDER:

Heard learned counsel for the petitioner, learned Government Pleaders for Municipal Administration and Urban Development and Revenue and Sri V.Narasimha Goud and Sri N.Praveen Kumar, learned Standing counsel, apart from perusing the entire material on record.

The grievance of the petitioner, in the present Writ Petition, is the alleged inaction, on the part of the respondent Nos.2 to 5, in stopping the alleged illegal constructions.

A reading of the affidavit, filed in support of the Writ Petition, in clear and vivid terms, discloses that the petitioner herein, along with his family members, instituted O.S.No.60 of 2018 on the file of the VII Additional Senior Civil Judge, Ranga Reddy District, seeking perpetual injunction restraining the defendants therein from changing the nature of the suit schedule property i.e. an extent of Ac.36.04 guntas situated in Sy.Nos.140 & 141 of Chengicherla village, Medipally mandal, Medchal-Malkajgiri District.

It is submitted by the learned counsel for the petitioner that, seeking interim injunction, under the provisions of Order XXXIX Rules 1 and 2 CPC, petitioner herein also filed I.A.No.31 of 2018 and the same is coming up for enquiry.

In view of the pendency of the above suit and Interlocutory Application, in the considered opinion of this Court, petitioner herein cannot maintain the present Writ Petition before this Court substantially for the same relief.

For the aforesaid reasons, Writ Petition is dismissed. However, it is open for the petitioner to pursue the civil litigation. There shall be no order as to costs.

Miscellaneous petitions, if any, shall also stand disposed of.

A.V. SESA SAI, J

13th August, 2018
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