

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

**THE HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
THE HON'BLE MS.JUSTICE J. UMA DEVI**

WRIT PETITION No.32035 of 2018

Date:07.09.2018

Between:

Katakam Rajalingu S/o.Venkaiah,
R/o.Rompikunta Village, Peddalli Dist.,
Karimnagar and others.

... Petitioners

v.

The State of Telangana,
Rep.by Principal Secretary, Law Department,
Secretariat, Hyderabad and others.

... Respondents

For Petitioners : Sri Mirza Aijaz Ali Baig

For Respondents : None

Gist : सत्यमेव जयते

Head Note :

Cases Referred : 2009(5) SCC 616

C/15

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE MS.JUSTICE J. UMA DEVI

WRIT PETITION No.32035 OF 2018

ORDER: (*per V. Ramasubramanian, J*)

The petitioner has come up with the above writ petition challenging a docket order passed by the Civil Court, in an original suit, re-opening the case.

2. Heard the learned counsel for the petitioners.

3. In matters of this nature, the Civil Procedure Code itself provides appropriate remedies for the petitioners to seek. The remedy of writ jurisdiction under Article 226 of the Constitution of India cannot be invoked, as held by the Supreme Court of India in **Radhey Shyam v. Chhabi Nath**¹. Therefore, leaving it open to the petitioner to invoke the remedies available under the CPC, this writ petition is dismissed.

4. As a sequel thereto, miscellaneous petitions, if any, pending shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

J. UMA DEVI, J

September 07, 2018

KTL

¹ 2009(5) SCC 616