

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.45784 OF 2018

O R D E R

The petitioners in this writ petition are seeking for a direction to the official respondents 1 to 3 to implement the orders passed by the court of IX Junior Civil court, City Civil Court, Hyderabad in EA.No.282 of 2018 in EP.No.55 of 2018 in O.S.No.2230 of 2018 dated 03.12.2018, by stopping the alleged illegal and unauthorized construction undertaken by unofficial respondents 4 to 6.

Heard the learned counsel for the petitioners, who submit that without any permission from the competent authority, the unofficial respondents 4 to 6 are proceeding with the construction activity in the subject land, which is in violation of the orders passed by the civil court and the official respondents are not taking any action to prevent the said construction in spite of making number of representations.

Learned Assistant Government Pleader for Municipal Administration and Sri N.Ashok Kumar, learned Standing Counsel for respondents 2 and 3 – Municipal Corporation, submit that as the petitioners are seeking for implementation of the orders passed by the civil court, writ petition is not maintainable and they have to work out their remedy before the civil court, which passed the decree. Therefore, they seek to dismiss the writ petition.

Writ petition under Article 226 of the Constitution of India, for execution of the orders passed by the civil court, is not maintainable and the petitioners have to work out their remedy before the civil court, which

passed the decree. Hence, leaving it open to the petitioners to avail alternative remedy, writ petition is disposed of.

Interlocutory applications pending, if any, shall stand closed. No costs.

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A.RAJASHEKER REDDY,J

DATE:18—12—2018

AVS

