

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.45893 OF 2018

O R D E R

Aggrieved by G.O.Ms.No.288 Revenue (Assn.I) Department dated 01.06.2018 in issuing DKT pattas in respect of lands of Co-operative Joint Farming Societies (CJFS), the present writ petition is filed.

Learned counsel for the petitioner submits that petitioner filed suit in O.S.No.30 of 2010 on the file of III Additional District Judge, Nellore for declaration of title and for permanent injunction in respect of the subject property and the said suit is at the stage of arguments, and at this stage, Government issued impugned G.O., creating third party rights. She submits that pending adjudication of the suit, which is at the far end of trial, issuing impugned G.O., is illegal and arbitrary, and would affect the rights of the petitioner.

Learned Assistant Government Pleader for Revenue submits that as the petitioner has already filed the suit in respect of the subject property, she can seek appropriate relief in the said suit, and the writ petition may not be entertained.

In this case it is to be seen that since the petitioner has already filed the suit, he can seek for appropriate relief restraining the respondents herein from creating any third party interest in respect of the suit schedule property. Hence, leaving it open to the petitioner to file appropriate application in the pending suit, writ petition is disposed of.

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

A.RAJASHEKER REDDY,J

DATE:18—12—2018

AVS

