

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.11086 OF 2019

Date: 10.06.2019

Between:

Smt B.Bhagyalaxmi w/o. B.Mohan Reddy,
Aged about 40 years, occu: Housewife,
R/o. H.No.1-34, Street No.4, J.J.Nagar Colony,
Kushaiguda, ECIP Post, Ranga Reddy district.

.....Petitioner

and

The State of Telangana, rep.by its Prl.Secretary,
Municipal Administration & Urban Development
Department, Secretariat, Tank Bund, Hyderabad
and others.

.....Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.11086 OF 2019

ORDER:

Petitioner claims to be the owner and in possession of residential plot no.108, admeasuring 160 square yards in Sy.No.232 to 243, Shiva Sai Nagar Colony, Kapra Municipality, Ranga Reddy district, having claimed to have purchased the same by document No.70/2004. Petitioner contends that her plot was regularized by the GHMC on 28.01.2017. Petitioner further alleges that earlier when she sought to fence the plot, 3rd respondent who is adjacent owner to her plot tried to illegally and forcibly dispossess her, whereupon she was compelled to institute O.S.No.545 of 2014 in the Court of VII Additional Senior Civil Judge, Ranga Reddy District, praying to grant perpetual injunction against the defendants therein. The said suit was decreed on 28.09.2015. Petitioner now alleges that in spite of decree granted by the Court in her favour, the respondents herein are interfering and not allowing her to level the plot and to fence. Hence, this Writ Petition.

2. The averments and the material on record would disclose that petitioner earlier instituted O.S.No.545 of 2014 against the very same respondent and claimed to have obtained the decree against interference. That being so, and petitioner has already obtained decree, direction sought in the writ petition against alleged interference and dispossessing her cannot be granted. There cannot be multiplicity of litigation on the same issue, and orders from different Courts. However, if petitioner has grievance on violation of decree granted in her favour, she has to work out

her remedy as available in law. Thus, leaving it open to petitioner to work out her remedy as available in law, Writ Petition is dismissed. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 10.06.2019
kkm



HON'BLE SRI JUSTICE P.NAVEEN RAO



WRIT PETITION NO.11086 OF 2019

Date: 10.06.2019

kkm