

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.13842 OF 2019

ORDER:

This writ petition is filed with the following prayer:

“to issue a writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the respondent No.3 in not initiating action against the 4th respondent in view of the several complaints dt.17.07.2018, 26.10.2018 when 4th respondent tried to dispossess the petitioners by threatening with dire consequences from the land is illegal, arbitrary and in violation of Article 300-A of Constitution of India and consequently direct the 3rd respondent to initiate action against 4th respondent and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Learned counsel appearing for the 4th respondent submits that the petitioners filed WP.No.2086 of 2019 before this Court with the same prayer and the same was dismissed vide order dated 08-03-2019 and produced a copy of the order passed in WP.No.2086 of 2019 along with batch of writ petitions in WP.No.38397 of 2018 and batch. He also produced print out of case details of WP.No.2086 of 2019, which goes to show that petitioners filed similar writ petition and counsel is also one and the same. In the writ affidavit also, though there was mention of initiation of number of proceedings, there is no mention of filing earlier writ petition which goes to show that counsel as well as the petitioners suppressed the fact and filed the present writ petition.

Learned Assistant Government Pleader for Home produced notice dated 08-07-2019, issued to petitioners by Station House Officer, Hayathnagar Police Station stating that already crime was registered in Cr.No.107 of 2016 in respect of same issue.

In view of the same, the writ petition is dismissed with costs of Rs.25,000/- (Rupees Twenty Five Thousand only) to be paid in favour of Secretary, High Court Legal Services Committee, High Court for the State of Telangana, High Court Buildings, Hyderabad, within a period of four (04) weeks from the date of receipt of a copy of this order. In default to comply the order, appropriate steps to recover the said amounts shall be taken recourse to by the Secretary, HCLSC. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

25-07-2019
Nvl

A. RAJASHEKER REDDY, J



