

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.15043 of 2019

ORDER:

The prayer of the petitioner in this case is as under:

“... to issue an appropriate writ or direction more particularly a Writ in the nature of Mandamus declaring the inaction of respondent No.2 in registering the FIR pursuant to the complaints dt 17.07.2019, 08.07.2019 and 25.04.2018 as illegal, arbitrary and unconstitutional and consequently, direct respondent No.2 forthwith to register the FIR against respondent Nos.3 to 8 and also provide protection to the petitioner's schedule property i.e., an extent of 3658.01 Sq yards in Sy.No.724 and Sy.No.757 situated at SVP Road, Ragampet Hanamkonda Village and Mandal, Warangal District, pursuant to the order dt 01.07.2019 passed in CMA.No.430 of 2019 by the Honourable High court against IA.No.226/2018 in OS.No.9/2018 on the file of the II Additional Senior Civil Judge, Warangal District, and pass such further or other orders as the Hon'ble Court may deem fit and proper in the circumstances of the case.”

Sri Vedula Venkatramana, learned senior counsel appearing for respondent No.4, submits that the interim order dated 01.7.2019 passed in CMA.No.430 of 2019 no longer subsists as the main C.M.A. was allowed by this Court on 26.7.2019 and the matter is remanded to the trial Court and that, while remanding the matter, the interim order granted on 01.7.2019 was not continued. The same is not disputed by the learned counsel for the petitioner.

In view of the above facts, when the interim order dated 01.7.2019 passed in CMA.No.430 of 2019 ceases to subsist, the cause in this Writ Petition no longer survives for adjudication by this Court.

Accordingly, the Writ Petition is dismissed as infructuous. However, as and when IA.No.226 of 2018 is taken up and orders are

passed in his favour, it is open for the petitioner to obtain appropriate order for implementation of the same.

Pending Miscellaneous Petitions, if any, shall stand closed. No order as to costs.

JUSTICE A. RAJASHEKER REDDY

02nd August, 2019
Note:
Issue CC in two days.
B/o
dr

