

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.38941 of 2015

ORDER:

The present Writ Petition is filed to declare the proceedings initiated by the respondent No.3 in LTR Case No.28/2015/DPT dated 16.05.2015, as being illegal, arbitrary and violative of principles of natural justice.

2. Heard Sri Kowturu Pavan Kumar, learned Counsel for the petitioners, learned Government Pleader for Social Welfare and Sri J. Srinivasarao, learned Counsel for unofficial respondents.

3. The petitioner has approached this Court questioning the notice issued by the 3rd respondent claiming that in respect of the same property, the matter having attained finality on two earlier occasions in proceedings LTR Case No.20/STP/79 dated 04.07.1979, which was once again gone into in LTR Case No.33/95/JLP, the same issue cannot be raised time and again. Pursuant to the orders of this Court on 26.02.2020, the learned Government Pleader has placed before this Court the original file containing the orders passed in the said proceedings. Based on the above record, it is submitted by the learned Government Pleader that the documents on which the petitioner is placing reliance are fabricated. As seen from the record placed before this Court that the parties to LTR Case No.20/STP/79 are Banavath Chandu and Chintha Ramaiah, while in the document produced by the petitioner along with the Writ Petition, the said proceedings are stated to be between Kotaru Kanakaiah and Tummala Subbaiah. Similarly, in so far as proceedings in LTR Case

No.33/95/JLP are concerned, the learned Government Pleader submits that the same is between Sri Sunnam Venkata Ramaiah and Patharlapati Satyam, while in the document filed by the petitioner into this Court, which is shown as between Kotari Kanakaiah and Tummala Koteswarao. Learned Government Pleader also submits that the officer who was working as Special Deputy Collector (TW), Palwancha at that relevant point of time when the said order came to be passed on 15.05.1996 is one M. Manikyam, while in the document filed into this Court on which reliance is placed by the petitioner, the officer who is said to have passed the order is shown as one Sri R.N. Swamy as the Special Deputy Collector and the said order is stated to have been passed on 29.07.1999. Learned Government Pleader would submit that having regard to the fact that the petitioner has approached this Court with unclean hands and by placing reliance of fabricated documents, this Court should take a serious note of the same and initiate appropriate proceedings against the petitioner.

4. Having regard to the said submission made and as seen from the original record, as placed before this Court it is evident that the petitioner has filed the present Writ Petition based on forged and fabricated document, this Court is of the view that the petitioner has not only misled this Court and obtained interim orders, but also approached this Court with unclean hands and is thus, not entitled for any relief much less being shown any indulgence in equity jurisdiction. Further, this Court is of the considered view that since it is now come to the notice of the authorities that the documents filed into this Court having been fabricated, it is open

for the authorities to initiate appropriate proceedings to enquire into the matter and take necessary action thereon.

5. Having regard to the same, the Writ Petition is devoid of merit and is dismissed with costs of Rs.5,000/- (Rupees five thousand only) to be paid to the Telangana State Legal Services Authority. Interim order granted earlier shall stand vacated.

6. As a sequel thereto, the miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

Date: 04.03.2020

MRKR

JUSTICE T.VINOD KUMAR

