

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Writ Petition No.38040 of 2015

Dated 24.11.2015

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Between:

Prashanthi Hills Welfare Association

rep. by its President N.Jagal Reddy

... Petitioner

and

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The State of Telangana

rep. by its Prl.Secretary

Panchayat Raj Dept.,

Hyderabad and 3 others.

...Respondents

Counsel for the petitioner: Mr.P.Venkanna

Counsel for respondent Nos.1 & 2: AGP for Panchayat Raj (TS)

The Court made the following:

Order:

This Writ Petition is filed by the Welfare Association of a Colony viz., Prashanthi Hills, Meerpet Gram Panchayat, with the grievance that respondent No.4 has formed itself into an Association and started changing the name boards in Phases I to V of the said Colony.

According to the petitioner, the said roads fall within its area of operation and respondent No.4, which is also registered under the Andhra Pradesh Societies Registration Act, 2001 (for short 'the Act'), has been wrongly exercising its jurisdiction over these roads. The petitioner is aggrieved by the purported inaction of respondent Nos.2 and 3 in preventing respondent No.4 from exercising its jurisdiction over the above mentioned roads.

After hearing the learned Counsel for the petitioner, I am of the opinion that the nature of the dispute raised by the petitioner cannot be decided by either respondent No.2 or respondent No.3. If the dispute raised by the petitioner is comprehended by the provisions of the Act, it has to work out its remedies under that Act and if no such remedy is available thereunder, it can only avail the common law remedy of a civil suit to prevent respondent No.4 from exercising its jurisdiction over its area of operation.

Subject to the liberty given to the petitioner as above, the Writ Petition is dismissed.

As a sequel to dismissal of the Writ Petition, WPMP.No.48946

of 2015, filed by the petitioner for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 24th November, 2015

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