

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION NO.4889 OF 2015

ORDER:

The petitioner makes a claim for the title of the trees, which are located in MPP School, Unsiganapalli, Vijalapuram Post, Ramakuppam Mandal, Chittoor District, and the said claim is based upon a sale deed said to have been executed in favour of his father by one Thoti Gantlappa on 16.10.1971. From the vendee of the said Gantlappa, the petitioner's father is said to have purchased the said trees and on that basis, the petitioner has given a legal notice to the respondents under Ex.P2 dated 05.02.2015. The present Writ Petition is filed complaining that respondent Nos.2 and 3 are acting contrary to the said legal notice.

Evidently, the petitioner is making claim of title on the trees on the basis of a sale deed and as such, the said relief has to be adjudicated by a competent Civil Court and not by way of a Writ Petition under Article 226 of the Constitution of India.

The Writ Petition is dismissed with liberty to the petitioner to approach the competent Civil Court for appropriate relief. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand dismissed.

(VILAS V. AFZULPURKAR, J)

27th February 2015

RRB