

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.12772 OF 2015

ORDER:

This petition is filed for a writ of *Mandamus* declaring the action of the respondents in raising the construction over the petitioner's land, as illegal and arbitrary and for a consequential direction to the respondents to remove the said construction.

The case of the petitioner is that he is the owner and possessor of the landed property of Ac.0.10 gts. in Sy.No.219, situated at Bechirag Madharam Revenue Village, Sivar, Suryapet Municipal Limits, Suryapet, Nalgonda District, by virtue of a registered sale deed. While so, without issuing any notice to the petitioner, the respondents are trying to make construction in the above said land, as such, petitioner submitted representation to the Suryapet Municipality on 23.04.2015. But, the respondents, without following due procedure to acquire the land and without issuing any notice to the petitioner are going ahead with the construction. Aggrieved by the same, present writ petition is filed.

Heard learned counsel for the petitioner and Sri N.Praveen Kumar, learned Standing Counsel for the 9th respondent.

Learned Government Pleader for Roads and Buildings appearing for respondents 2,6,7 & 8, on instructions submits that the subject land belongs to the Roads and Buildings Department, NH Division. As such, they are making construction of compound wall.

Though petitioner filed some documents in support of his title against the

property in question, in view of the disputed question of fact, the same cannot be adjudicated in this writ petition. Petitioner has to workout his remedies elsewhere. As such, the writ petition is devoid of merits and is liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

As a sequel thereto, miscellaneous petitions if any pending in the writ petition shall stand closed.

A.RAJASHEKER REDDY, J

28.04.2015

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