

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA
PRADESH

* * *

WRIT PETITION No. 23887 of 2015

BETWEEN

Kummari Pentaiah

... PETITIONER

AND

The State of Telangana, rep. by its Principal Secretary,
Revenue Department and others

...RESPONDENTS

Date of Order pronounced: 31.07.2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals? | Yes/No |
| 3. Whether his Lordship wish to see the
fair copy of the Judgment? | Yes/No |

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ORDER:-

Heard.

2. Petitioner claims that his father was assigned land to an extent of Ac.3-20 guntas in survey No.98 of Qutbullahpur Mandal, Ranga Reddy District under the then LAVONI Rules, 1950 and after him petitioner had succeeded and he is stated to be owner and possessor. He further states that some private persons, as named in paragraph 3, are interfering and trying to take up constructions on the petitioner's land. Hence the petitioner made application dated 10.07.2015 addressed to the fifth respondent bringing to his notice the aforesaid acts of the said third parties and requiring him to conduct enquiry and stop illegal constructions over the petitioner's lands. Mandamus is sought now to compel the fourth respondent to take action and protect the assigned land of the petitioner.

3. I do not see any reason to entertain the writ petition as the allegation of the petitioner appears to be against third parties who are not even impleaded in the petition. Even otherwise, if there any interference by the third parties, as alleged by the petitioner, he has to take appropriate remedy by approaching a competent civil court. Present writ petition therefore clearly appears an attempt to non-suit the third parties by process of this court without impleading them as parties to this writ petition. This writ petition not only suffers from non-joinder of necessary parties but it is not maintainable with regard to action of private parties' alleged interference.

The writ petition is accordingly dismissed. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

July 31, 2015
LMV

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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July 31, 2015

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