

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**

**WRIT PETITION No.38339 of 2016**

**ORDER:**

This writ petition under Article 226 of Constitution of India is filed seeking to call for the records pertaining to Crime No.151 of 2016 and consequently to set aside the same against the petitioners.

Heard and perused the material available on record.

The case of the petitioners is that the 3<sup>rd</sup> respondent lodged the present complaint against the petitioners alleging that TSIIC has allotted land to an extent of Ac. 10.00 on 22.06.2016 situated in Alinagar, Chetla Potharam, Jinnara Mandal, Sanga Reddy District and that as per the allotments, when the 3<sup>rd</sup> respondent is proceeding with the construction work and fencing work and levelling work on 17.10.2016 at about 12.00 hours, the petitioners illegally trespassed and started using abusive language and damaged the board erected by TSIIC and also forcibly stopped the workers of the 3<sup>rd</sup> respondent from doing the work alleging that the said land belongs to the petitioners and when the 3<sup>rd</sup> respondent tried to stop them, they also abused the 3<sup>rd</sup> respondent in filthy language.

Learned counsel for the petitioners submitted that when the officials of R&B and Revenue Departments tried to interfere with peaceful possession and enjoyment of the petitioners over the subject lands, without any prior notice to the petitioners and without following the due procedure contemplated under law and the petitioners filed W.P.No.31742 of 2016, wherein this Court passed interim order, dated 22.09.2016, directing the respondents therein not to interfere without following the due procedure contemplated under law, but on 17.10.2016, in spite of the interim order, dated 22.09.2016, the 3<sup>rd</sup> respondent forcibly removed sign board existing thereon and tried to dispossess the

petitioners. Basing on the said complaint, the 2<sup>nd</sup> respondent threatening the petitioners to arrest.

On perusal of the record, the interim order, dated 22.09.2016, granted by this Court in W.P.No.31742 of 2016 and the facts and circumstances of the present case are not relevant to each other. Hence, the Court is of the view that the writ petition is not maintainable and the writ petition is liable to be dismissed.

Accordingly, the Writ Petition is dismissed with a liberty to the petitioners to file a fresh application. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

**RAJA ELANGO,J**

Date: 22<sup>nd</sup> November, 2016

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