

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

Writ Petition No.10855 of 2010

ORDER: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

The relief, sought for in this writ petition, is to declare the action of the respondents in reducing the existing approach road, situated in front of the residential houses of the petitioners in Survey No.81 of Trimulgherry Village and Mandal, Hyderabad District, by constructing a compound wall in the middle of the said road, as illegal and arbitrary.

Learned Government Pleader for Revenue submits that the wall, raised by the Government is over its land, and has nothing to do with the colony in which the petitioners are residing. He would also draw attention of this Court to an order passed by a Division Bench of this Court, in W.P.No.8629 of 2010 dated 27.01.2014 filed by the petitioners herein, holding that, as the land in question belonged to the Government, it would be utilised as per the Government procedure and it was not for the Court to issue a Mandamus as to how it should be utilised.

Learned counsel for the petitioners is not able to show any statutory violation on the part of the respondents in this regard. We see no reason, therefore, to exercise discretion, under Article 226 of the Constitution of India, to interfere.

The Writ Petition fails and is, accordingly, dismissed. Miscellaneous petitions pending, if any, shall also stand dismissed. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(U.DURGA PRASAD RAO, J)

28th September 2016
JSU



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Date: 28.09.2016

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