

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.13728 OF 2016

ORDER:

The relief sought by the petitioner in the present writ petition is to issue a direction to the respondents to dispose of the representation dated 28.03.2016 said to have been filed by the petitioner to the respondents seeking to vacate the premises and to pay mean profits and damages for illegal and unauthorized occupation of land owned by him in respect of plot No.5 in survey No.62/3 in which an electrical sub-station was erected by the erstwhile DISCOMS.

A *prima facie* reading of the affidavit discloses that construction of such sub-station was about a few decades back. In other words, even assuming that the petitioner had some right for consideration of his case, the same would be subject to law of limitation and various other aspects in relation to granting of compensation. In filing a representation and seeking a direction in this writ petition to dispose of the representation, the intention of the petitioner is probably to create a new right which otherwise may not be available to him in law. In these circumstances, I am not inclined to entertain the writ petition.

Hence, the writ petition is dismissed. However, the observations made for the purpose of dismissal of the present writ petition in relation to maintainability shall not preclude the petitioner in exercising his other rights, if any, in accordance with law. No order as to costs.

Consequently, Miscellaneous Petitions pending, if any, in this writ petition shall stand closed.

Challa Kodanda Ram, J

25th April, 2016.

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