

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.13122 of 2015

ORDER:

The case of the petitioner is that he is the owner of the land situated in Survey No.17/E/2 at Borancha Village, Manoor Mandal of Medak District. It is not in dispute that the petitioner had donated Ac.0-10 gts., of land in favour of the 3rd respondent temple viz., Sri Pochamma Talli Devasthanam, Borancha Village. Though the petitioner claims that he is the owner of the land and constructed the temple and he is hereditary founder of the said temple, the same is being disputed by the 3rd respondent as well as the respondents 6 to 8 and they further stated that the shops are being setup in the land belonging to the temple.

On one hand it is the assertion of the petitioner that the shops are being setup in Ac.0-19 gts., of land which is left over after donating Ac.0-10 gts., in favour of the temple. On the other hand, the assertion of the learned Government Pleader for the 2nd respondent as well as the learned standing counsel for the 3rd respondent Sri Ch. Satish Kumar and the learned counsel for the respondents 6 to 8 Sri V. Ravi Kiran Rao is that the shops are being setup in the land belonging to the temple. Therefore, there is a serious dispute with respect to the identity of the property. In those circumstances it is not possible for this Court to decide in which survey number the shops are set up, and it is left open to the petitioner to avail the alternative remedies as available in the civil court.

Accordingly, the Writ Petition is closed leaving it open to the petitioner to avail alternative remedies as available in the civil court. There shall be no order as to costs. Consequently, miscellaneous petitions pending, if any, shall also stand closed.

CHALLA KODANDA RAM, J.

Date:07.06.2016

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