

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.45367 OF 2016

DATED : 26.12.2016

Between :

Thota Venkateswara Rao, S/o.Raghavaiah,
Aged about 81 yrs, R/o.D.No.2-29-32,
Kaviraja Park Road, Nandulapeta,
Tenali Town, Guntur District,
Andhra Pradesh-522201 & others.

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Petitioners

And

The State of Andhra Pradesh,
Rep., by the Principal Secretary,
Municipal Administration & Urban Development Department,
Andhra Pradesh Secretariat,
Velagapudi, Guntur District, Andhra Pradesh & Others.

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Respondents



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.45367 OF 2016****ORDER :**

Petitioners claim to be occupying the premises belonging to the 4th respondent. 4th respondent is a private person and the Municipality is no way concerned with the subject property.

2. In this writ petition petitioners allege that 4th respondent wants to evict the petitioners and he is using the authorities of the Municipal Corporation to evict the petitioners and at the instance of 4th respondent respondents 2 and 3 are threatening the petitioners that they would demolish the shops occupied by the petitioners.

3. Even though repeatedly this Court asked learned Counsel for the petitioners as to how respondents 2 and 3 are concerned with the property belonging to the 4th respondent and why the property would be demolished, there is no sufficient answer from the counsel for the petitioners.

4. Apparently, there is dispute between the petitioners and the 4th respondent. If the petitioners have any grievance against the 4th respondent, they have to work out civil law remedies. Petitioners are only dragging the respondent-Municipality in order to invite the jurisdiction of this Court under Article 226 of the Constitution of India and to convert the private dispute into a dispute between them and the public authority, by making vague allegations of such involvement. No material is brought on record to show that the officers of the Corporation are acting at the

instance of 4th respondent. I therefore, see no merit in the writ petition.

5. Writ Petition is accordingly dismissed, leaving it open to the petitioners to work out their remedies, if they have any grievance against the 4th respondent. There shall be no order as to costs.

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

26th December, 2016
Rds

P.NAVEEN RAO,J

