

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA
REDDY**

WRIT PETITION No.1065 of 2016

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18.01.2016

Between:

Bonala Venkateswarlu

.. Petitioner

and

Nagarapanchayath, Huzurnagar and others

.. Respondents

Counsel for the petitioner: Mr.K.Joseph

Counsel for respondent Nos.2 to 5: Assistant Government Pleader
for Home (TS)

Counsel for respondent No.1: --

Counsel for respondent No.6: --

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The Court made the following:

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ORDER:

This writ petition is filed alleging inaction on the part of the official respondents in preventing respondent No.6 from raising construction over a plot claimed to be belonging to the petitioner.

From the tenor of the representations made by the petitioner to the various official respondents and the averments contained in the affidavit filed in support of this writ petition, it is clearly evident that the principal grievance of the petitioner is that respondent No.6 has encroached upon his property and been raising construction. In my opinion, the dispute raised by the petitioner is purely civil in nature and therefore, he is not entitled to avail the public law remedy under Article 227 of the Constitution of India.

The petitioner is, therefore, relegated to the common law remedy of civil suit against respondent No.6 for claiming appropriate reliefs, in order to protect his purported rights over the property, on which respondent No.6 is allegedly raising construction.

Subject to the liberty given to the petitioner as above, the Writ Petition is dismissed.

As a sequel to dismissal of the writ petition, W.P.M.P.Nos.1312, 1315 and 1316 of 2016 filed by the petitioner for interim reliefs shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

18th January, 2016

GHN

