

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.41192 OF 2016

DATED : 06.12.2016

Between :

Putta Sunil Kumar, S/o.Rukma Reddy,
Aged about 46 yrs, Occu : Business,
R/o.H.No.1-11-220/5,
Brindavan Colony, Behind Shoppers Stop,
Begumpet, Hyderabad – 500 016

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Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Department of Municipal Administration,
Secretariat, Hyderabad & others.

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Respondents



This court made the following :

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ORDER :

The petitioner claims to be the owner of Plot No. 217, admeasuring 167 sq. yards in S.No. 81/RU, Ward No.2, Block No. 1, within Uppal Revenue Mandal of GHMC.

2. Petitioner alleges that when there was an interference of a person by name N. Venugopal Rao, vendor and the developer, he was compelled to file a suit for injunction in O.S.No. 728/2009 on the file of II Additional Senior Civil Judge, Ranga Reddy District. Initially, an ad-interim injunction was granted on 27.04.2009 and subsequently the suit was decreed on 26.04.2010. Petitioner now alleges that without issuing any notice to him, at the instance of respondents 5 to 7 (private parties), respondents 3 & 4 have started interference with the peaceful possession and enjoyment of the petitioner and threatening to dispossess from the subject plot.

3. The averments made in the affidavit filed in support of the Writ Petition would show that at the instance of respondents 5 to 7 the official respondents are trying to interfere with the property of the petitioner. Learned counsel for the petitioner submits that there is no dispute between petitioner and official respondents. However counsel is unable to satisfy this Court as to how the respondents 5 to 7 are concerned to his property and why they seek to interfere by using respondents 3 & 4 and to dispossess the petitioner. This appears to be a case of dispossession by private parties. If that is so, petitioner has to work out his remedies as available in common law and this Court in exercise of Writ

Jurisdiction under Article 226 of the Constitution of India cannot entertain such grievance, more particularly, when no material is placed before this Court on alleged illegal interference by the Municipal Authorities at the instance of respondents 5 to 7.

4. There is no cause for the petitioner to come before this Court. Hence, leaving it open to the petitioner to work out his remedies in a Civil Court if he is so aggrieved by the alleged illegal interference by any one at the instance of respondents 5 to 7 the Writ Petition is dismissed. It is also open to the petitioner to make a complaint to the Commissioner, GHMC or to the DGP. On such complaint, the Officers of GHMC and the Police Officials are directed to examine and take action in accordance with law against illegal interference with the petitioner's property. There shall be no order as to costs.

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

6th December, 2016
Rds

P.NAVEEN RAO,J