

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.23432 of 2016

ORDER :

This Writ Petition has been filed by petitioner challenging the inaction of respondent nos.2 and 3 in initiating criminal proceedings against respondent nos.4 and 5 in respect of written complaints dt.12.01.2016 and 08.06.2016 filed by petitioner against them.

2. According to counsel for petitioner, an extent of Acs.1.50 guntas out of total extent of Acs.5.22 guntas in Survey No.41 situate at Rampachodavaram Village and Mandal, East Godavari District was gifted to her by one Smt. Sankuru Yasodamma treating the petitioner as her adopted daughter.

3. According to her, respondent nos.4 and 5 are interfering with her possession and enjoyment of the said property.

4. The petitioner places reliance on an order in O.P.No.126 of 1977 and another order in Appeal No.1639 of 1985 of this Court in support of her plea that she has title and possession to the property.

5. In my considered opinion, the petitioner has an effective alternative remedy in form of approaching a

competent Civil Court / Agency Court and seek relief of declaration of title and / or perpetual injunction against respondent nos.4 and 5 who are alleged to be interfering with petitioner's alleged possession of the subject property.

6. Therefore, I am not inclined to entertain the Writ Petition. The Writ Petition is accordingly dismissed granting liberty to petitioner to approach the competent Civil Court / Agency Court for appropriate relief against respondent nos.4 and 5. No order as to costs.

7. As a sequel, miscellaneous petitions pending if any in this Writ Petition, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 19-07-2016

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