

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.28370 OF 2017

Dated:28.08.2017

Between:

Mohammed Jaffar Sharif,
S/o. Late MD Rehman,
Aged about 70 years, Occ: Business,
R/o.H.No.11-3-338/2/D, Parisgutta,
Secunderabad, rep., by his GPA Holder,
C. Danial James, S/o. Late C.A. James,
Aged 62 years, Occ: Business, R/o.H.No.17-5/3,
Jyothinagar, Lallaguda, Sunderabad .. Petitioner

And

The State of Telangana, rep., by its
Principal Secretary, Revenue Department,
O/o. Secretariat Building, Hyderabad .. Respondents
And others



The Court made the following:

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ORDER:

This Writ Petition is filed alleging that respondents 2 and 3 are not responding to the request made by Malkajgiri Police, who sought information on the status of the land to an extent of 700 sq. yards in Survey No.859 of Jyothinagar, Malkajgiri, Ranga Reddy District. According to petitioner, he is the owner and possessor of the subject land bearing Municipal No.17-36/5 and due to old age, as he is not residing in the schedule property, the local land grabbers, by political influence, put an eye on the property. Earlier, the land grabbers tried to lay a nala on the schedule property compelling the petitioner to institute a suit and to obtain appropriate orders. In the first week of August, some land grabbers and local politicians provoked local youth to construct a small temple. Immediately, the petitioner complained to the Police Malkajgiri and F.I.R.No.575 of 2017 was registered on 03.08.2017. In response to the said complaint, the Sub-Inspector of Police sought information from the Revenue Divisional Officer, Malkajgiri, regarding the status of the land as to whether it is a Government land or a private land. This Writ Petition is filed, as noted above, alleging inaction on the part of the revenue authorities in furnishing the information sought for by the Police.

2. The facts, as noted above, would show that the petitioner claimed the subject land as belonging to him and the third parties are trying to encroach into the said land. If there is any encroachment by the third parties, the petitioner has to work out his remedies as available in law and even if the Police have any

doubt regarding the ownership of the petitioner, they cannot elicit information from the Revenue Divisional Officer and try to enter into the issue of deciding title to the property in a complaint filed on the allegation of illegal interference and encroachment. In view of the same, no relief, as sought for by the petitioner, can be granted and the Writ Petition is liable to be dismissed.

3. The Writ Petition is accordingly dismissed in *limine*. It is needless to observe that if the petitioner has any subsisting grievance against third parties, it is open to him to avail appropriate remedy as available in law. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in the Writ Petition shall stand closed.

Date: 28.08.2017

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P. NAVEEN RAO, J

