

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

**THURSDAY, THE FOURTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND SEVENTEEN**

**Present
HON'BLE SRI JUSTICE P.NAVEEN RAO**

WRIT PETITION No.31103 of 2017

Between:

N. Ramalingamma, W/o.Venkata Subbaiah,
Aged about 70 years, Occ: Anganwadi worker,
R/o.Gangawaram post, Odduwaripalem Village,
Santhanuthalapdu Mandal,
Prakasham District,
Andhra Pradesh and another

.. Petitioners

AND

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Revenue Department,
Velagapudi, Guntur District,
Andhra Pradesh and 8 others.

.. Respondents

The Court made the following:

HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.31103 of 2017****ORDER:**

Heard.

2. Petitioners claim that an application was made for conducting of survey. Alleging in action in conducting survey as requested, this writ petition is filed.

3. The case on record and the averments stated in the affidavit would disclose that an extent of 0.03 cents in Plot No.107, in Sy.No.981 of Santhanoothalapdu Village and Mandal, Prakasham District belongs to petitioners and are in possession and enjoyment of the same. While so, a house was constructed by 9th respondent attached to the boundary in the south side of the petitioners' property. Recently, respondents 7 and 8 resorted to similar acts damaging the western side boundary. These averments made in the affidavit itself would constitute the cause of action, which would mean that there is an illegal encroachment into the subject property. If the petitioners have grievance regarding encroachment into the land owned by them, they have to avail civil law remedy. Therefore this Court is not inclined to entertain the writ petition and keep the same pending.

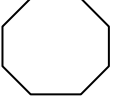
4. The writ petition is accordingly dismissed, leaving it open to the petitioners to work out their remedies available under law, as against the illegal and unauthorized encroachment. There shall be no order as to costs.

5. Miscellaneous petitions, if any, pending in this petition shall stand close.

P.NAVEEN RAO, J

Date: 14.09.2017
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HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.31103 of 2017



Date:14.09.2017

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