

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.46626 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to declare the action of respondent No.1 in proceeding with construction operation of petroleum retail outlet in Survey No.67/A, 67/A/A situated at Raj Bollarum Village, Medchal Mandal and District under the guise of lease agreement, dated 16.3.2015, entered into between respondent No.3 and respondent No.7 in respect of the land in Survey No.64/E situated at Raj Bollarum Village, Medchal Mandal and District.

2. Case of the petitioner is that there is a boundary dispute between him and respondent Nos.3 to 6 in respect of the aforementioned lands; that without taking into account of that boundary dispute, under the guise of the lease agreement in between respondent No.3 and 7 on 16.3.2015, respondent No.1 is constructing a petroleum retail outlet in Survey No.67/A, 67/A/A situated at Raj Bollarum Village, Medchal Mandal and District.

3. Heard and perused the record.

4. Considering the facts and circumstances of the case, this Court is of the view that the petitioner can approach an appropriate Forum and seek remedy against respondent Nos.3 and 7, who illegally entered into the lease agreement on 16.3.2015 and produced the same before respondent No.1.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

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

JUSTICE RAJA ELANGO

2.1.2017
AMD



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Date: 2.1.2017

AMD