

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.32086 OF 2017

Dated:21.09.2017

Between:

M/s. SSM Developers, rep., by M. Natraj
Goud, S/o. M. Janakiram Goud, Aged
About 50 years, Occ: Business,
H.No.3-5-824/1, Fat No.201,
Padmavathi Plaza, Hyderguda,
Hyderabad and others

.. Petitioners

And

The Tahsildar, Yadagiri Gutta
Mandal, Yadadri District,
Telangana State and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.32086 OF 2017****ORDER:**

Heard.

2. Petitioners claim that the land to an extent of Acs.2.23 guntas in Survey No.128/❧ of Gundlapally Village, Yadagirigutta Mandal, Nalgonda District, belongs to them. As there was illegal interference by the 3rd respondent, petitioners herein filed O.S.No.39 of 2015 which is pending on the file of Court of Junior Civil Judge, Alair, and injunction order was granted in their favour. It appears, opposite parties have also filed O.S.No.121 of 2015 and the said suit is also pending in the same Court and injunction application was dismissed.

3. Alleging that the official respondents are interfering with the possession and enjoyment of the petitioners, they got issued a legal notice on 06.09.2017, wherein the respondent authorities were warned not to interfere with the possession of the petitioners and to comply with the directions issued by the civil Court. At that stage, this Writ Petition is filed.

4. On a specific question posed by the Court as to whether any claim is made by authorities that the subject land belongs to the Government is made, learned counsel for the petitioners submits that no such claim is made. If what is stated by the petitioners is true and apparently civil litigation is pending between the petitioners and some other persons, this Writ Petition is instituted only to seek enforcement of the injunction order of the civil Court.

Writ Petition to grant such relief cannot be entertained as efficacious remedy is available to petitioner.

5. The Writ Petition is accordingly dismissed. However, the observations made herein are only for the purpose of consideration of the prayer sought in the Writ Petition. This order does not come in the way of the respondent authorities in taking appropriate action, if the Government has interest over the subject land claimed by the petitioners as their own land. Further, it is also open to the petitioners to work out their remedies as available in law. There shall be no order as to costs.

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

Date: 21.09.2017

KH

P. NAVEEN RAO, J

