

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.29744 OF 2017

Dated:04.09.2017

Between:

Chunchu Lachanna, S/o. Late Ramaiah,
Aged about 43 years, Occ: Agriculture,
R/o. Konur Village (Nagaram) Kasipet
Mandal, Mancherial District and others .. Petitioners

And

The State of Telangana, rep., by its
Principal Secretary, Department of
Revenue, Secretariat Buildings, Hyderabad
And others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.29744 OF 2017****ORDER:**

Heard.

2. Petitioners claim that they are the owners and possessors of agricultural lands admeasuring Acs.6.31 guntas, Acs.6.30 guntas and Acs.6.31 guntas in Survey Nos.7, 8, 18, 26 and 28 of Konuru Sivar (Nagara), Kasipet Mandal, Mancherial District. They state that the said lands are ancestral properties and they succeeded to the same after death of their father. They allege that their names are also mutated in the revenue records against the said properties as early as in the year 2010 and they were granted pattadar passbooks and title deeds. While so, the 4th respondent, who is a private party, with the influence of the Tahsildar, Kasipet Mandal, is trying to dispossess them from the subject lands. They allege that on 23.08.2017, the 4th respondent came to their agricultural lands and tried to dispossess them. The grievance of the petitioners is that without following due process and without putting them on notice, the Tahsildar could not have take up action against them.

3. The averments made in the affidavit filed in support of the Writ Petition would disclose that there is a dispute between the petitioners and the 4th respondent. The petitioners tried to convert the said dispute and seek the public law remedy by involving the Tahsildar. Except making an allegation that the Tahsildar visited the site and tried to help the 4th respondent, no other material is brought on record to show that the official respondents are taking

decision against the petitioners. Even according to the petitioners, orders were passed by the Tahsildar on 20.03.2010 mutating their names in the revenue records. If that is so, it is not known, how the petitioners allege about the involvement of the Tahsildar in their dispossession. Thus, if the petitioners have any grievance that the 4th respondent is trying to encroach their lands, they have to avail civil law remedy, as available, but cannot convert the private dispute into the dispute between him and the State invoking the public law remedy.

4. The Writ Petition is accordingly dismissed leaving it open to the petitioners to work out their remedies as available in law, if so advised. There shall be no order as to costs.

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

Date:04.09.2017

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P. NAVEEN RAO, J