

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.25939 of 2017

ORDER:

This Writ Petition is filed for a writ of Mandamus to declare the inaction of the official respondents, in taking steps for removal of the unauthorized construction being made by the unofficial respondent in plot bearing No.B/955/70 admeasuring Ac.0.02 gts situated in Sy.No.615/1, Vidyanagar, Siricilla, as illegal and arbitrary.

Heard the learned counsel for the petitioner, learned Government Pleader for Municipal Administration for the first respondent, learned Government Pleader for Panchayat Raj for the second respondent and Sri N.Praveen Kumar, learned Standing Counsel for the third respondent.

Petitioner herein claims to be the absolute owner of the property bearing No.B/955/70 admeasuring Ac.0.02 gts situated in Sy.No.615/1, Vidyanagar, Siricilla. According to the petitioner, the said property is her husband's ancestral property and, when there was a dispute between his father and brother, the husband of the petitioner instituted O.S.No.575/91 on the file of the District Munsif, Siricilla and the said suit was decreed in favour of the husband of the petitioner on 18.06.1991 declaring him as the owner of the property. It is further stated

that on 26.06.1997 the petitioner's husband passed away and after his death the petitioner herein became the absolute owner of the property. The grievance of the petitioner, principally in the present Writ Petition, is that the fourth respondent herein, which is a private body, with a view to grab the property, started raising structures in the subject land with the help of the fifth respondent.

A reading of the affidavit, filed in support of the Writ Petition, clearly discloses that the grievance of the petitioner is completely against the fourth respondent, a private body. Therefore, the present Writ Petition before this Court cannot be maintained.

For the aforesaid reasons, the Writ Petition is dismissed, however, with a liberty to the petitioner herein to seek appropriate remedy before the appropriate forum of law. Miscellaneous petitions, if any, pending shall stand closed.

A.V.SESHA SAI, J

03rd August, 2017
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