

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.31511 of 2017

ORDER:

1) The present writ petition came to be filed with the following relief:

“issuance of writ of mandamus declaring the action of respondent Nos.2 and 3 in interfering with the peaceful possession and enjoyment of the petitioners over their respective lands at the instance of respondent Nos.4 and 5 and directing the petitioners to provide the way to reach their fields situated in Sy.No.582/ A to an extent of Ac.6.22 gts., and in Sy.No.582 to an extent of Ac.6.21 gts., of Chegomma Village, Kusumanchi Mandal, Khammam District, even though their claim was subjudice before the competent civil Court to which respondent No.2 is a party, as illegal, arbitrary and violative of principles of natural justice; and consequently direct respondent Nos.2 and 3 not to interfere with the peaceful possession and enjoyment of the petitioners over the said land.”

2) Though various grounds are raised in the writ petition, learned counsel for the petitioner would submit respondent Nos.4 and 5 filed O.S.No.390 of 2014 against the petitioners and the Tahsildar. He further submits that in spite of the order of the civil Court, the Tahsildar is interfering with the property in dispute illegally. The same is disputed by the Government Pleader for Revenue stating that if really the Tahsildar is

interfering with the property in dispute, the petitioners can take steps before the civil Court, as he was also a party to the proceedings.

3) Without going into the merits of the case and since the dispute is between two private individuals, the official respondents shall not interfere with the dispute except in accordance with the procedure established under law.

4) With the above direction, the writ petition is disposed of. There shall be no order as to costs.

5) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.



JUSTICE C. PRAVEEN KUMAR

18.09.2017
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