

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.21931 of 2017

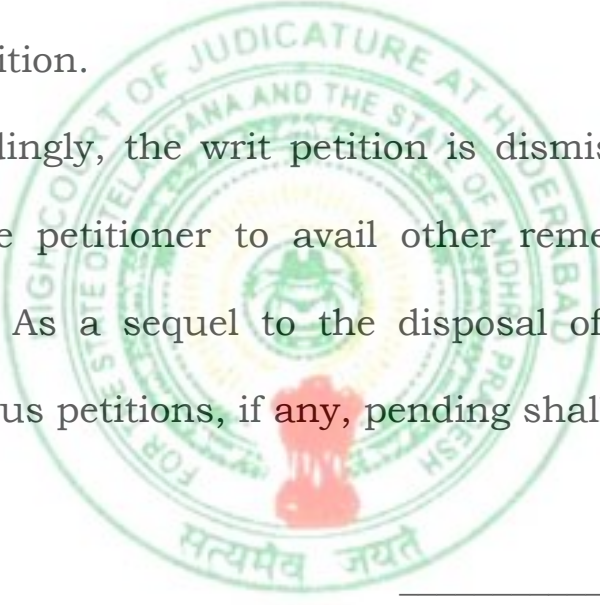
ORDER:

This writ petition is filed stating that the father of the petitioner by name Mohd.Mohuiuddin Ali @ Bakur Ali S/o.Siraj Ali was pattadar of land to an extent of Ac.1-35 guntas in Sy.No.1017 and an extent of Ac.1-20 guntas in Sy.No.1016 at Mahabubagar Urban area at Fire Station street and his name has been continuing in revenue records. The petitioner made a representation on 22-04-2017 to the Tahsildar, Mahabubnagar Mandal, Mahabubnagar District for transfer of patta in the name of legal heirs. Some third parties are trying to create documents and obtained permission for construction of house in the said lands without following the provisions of Municipal Acts and rules framed thereunder. As such, the writ petition is filed to direct the respondents to take action against the third parties for unauthorized construction in the above lands.

Heard learned counsel for the petitioner, who reiterated submissions in the writ affidavit and Sri N.Praveen Kumar, learned Standing Counsel for the 2nd respondent-corporation submits that the petitioner has not given any specific details about third parties who are making constructions. The writ petition is vague and in

such circumstances, the respondent-authorities cannot take action against them. A reading of the affidavit goes to show that there are disputes between the petitioner and third parties in respect of said lands and all these disputed questions of fact cannot be gone into and decided in the writ petition. If the petitioner is having valid title in respect of subject lands and he can approach civil Court for protecting his property. More so, affidavit is also vague. In view of the same, I do not see any reason to entertain the writ petition.

Accordingly, the writ petition is dismissed leaving it open to the petitioner to avail other remedies available under law. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.



A.RAJASHEKER REDDY,J

05-07-2017
Nvl



