

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 6099 of 2008

Order:

None appears for the petitioner.

The case of the petitioner Church is that the Church was established in the year 1991 in a small hut and the shed was constructed in the year 1997. The further case of the petitioner Church is that in the year 2002 it was registered as society. The Church premises is given House No.6-425 and it is situated in an extent of 240 sq. yards consisting of prayer hall and open yard and is situated in Nehru Nagar, Gajularamaram village, Quthbullapur Mandal, Ranga Reddy District. The further case of the petitioner Church is that one M. Ludiamma was the original owner and she executed a deed of gift in respect of the above land and the gift deed was registered as document No.4674 of 2002 dated 01.06.2002. The further case of the petitioner Church is that the land was originally a Government land and it was occupied by the poor people 18 years back and thus the said M. Ludiamma came into possession of the property. When the respondents 5 and 6 tried to interfere with the possession of the said Church property, the petitioner Church made a representation on 18.02.2008 to the District Collector and to the first respondent for protection of the property. It marked a copy to the respondents 2 to 4 also. It appears that the sixth respondent filed O.S.No.181 of 2002 on the file of the Junior Civil Judge, R.R. District at Medchal for permanent injunction by mentioning a false Municipal No.6-424/1 and the said suit was decreed *ex parte*. The petitioner Church also filed O.S.No.46 of 2008 on the file of the Junior Civil Judge, R.R. District for perpetual injunction against the respondents 5 and 6 and the same is pending. The respondents 1 to 4 have not taken any steps on

the representation and when the Good Friday was approaching on 21.03.2008, the petitioner Church filed the present Writ Petition.

This Court, by order dated 19.03.2008, directed the respondents 1 to 4 to permit the petitioner as well as respondents 5 and 6 to offer their prayers on 21.03.2008.

The said order worked out itself. No counter affidavit is filed till today. If the claim of the petitioner Church is true, it is for the petitioner Church to protect their property. If any law and order problem arises, it is open to the petitioner Church to approach the fourth respondent for appropriate relief, but in view of the pending civil litigation the fourth respondent cannot decide the title. Since the representation dated 18.02.2008 is for protection of the Church situated in Door No.6-425 of Nehru Nagar, Gajularamaram village, Quthbullapur Mandal, Ranga Reddy District, no direction can be given to the respondents 1 to 4 and it is for the petitioner Church to take appropriate steps for protecting their property and approach the respondents 1 to 4 whenever the need arises, but no relief can be granted in the present Writ Petition.

The Writ Petition is, accordingly, dismissed. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 05.01.2017
Nsr