

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.17152 of 2013

ORDER:

Heard Sri V.R.Reddy Kovvuri for petitioners, the Assistant Government Pleader (Home) for 1st respondent and Sri L.Prabhakar Reddy for 2nd respondent.

The subject matter of writ petition is Sy.No.278/1 of Kuntloor Village, Hayathnagar Mandal, Ranga Reddy District. The petitioners claim house site pattas said to have been issued by Bhoodan Yagna Board on 22-02-2003 etc.

The grievance of petitioners is that the 1st respondent at the instance of 2nd respondent purportedly in assisting the implementation of order passed in E.A.No.1 of 2013 in E.P.No.1 of 2013 in O.S.No.7 of 2009 is going far beyond the scope of the decree and physically throwing out the petitioners from petition land.

Sri V.R.Reddy Kovvuri by referring to the annexures filed by the 2nd respondent submits that the petitioners are not parties to O.S.No.7 of 2009 and if at all the petitioners are impleaded or they get impleaded, the petitioners have sufficient defences available to protect their possession, but due to assistance by police the petitioners are unable to resist the highhanded action of 1st respondent.

On the other hand, Sri LPrabhakar Reddy fairly contends that the 2nd respondent having availed the remedy of perpetual injunction in O.S.No.7 of 2009 would not have taken the assistance of the 1st respondent for dispossessing the petitioners. He denies the allegations made by petitioners. He admits that the 1st respondent has no jurisdiction in civil disputes between the parties.

Having perused the material available on record and after taking note of the submission of Sri LPrabhakar Reddy, this Court is of the view that the 1st respondent for a weighty or any reason ought not to interfere in civil disputes between the parties. If the 1st respondent is directed by the Additional Junior Civil Judge, Ranga Reddy District to render assistance, the same has to be given effect to, strictly in accordance with law and order of the competent court.

Therefore, the writ petition is disposed of by directing the 1st respondent not to interfere in the civil disputes or possession of petitioners except as directed by the competent court or in accordance with law. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 18-04-2017
Prv

