

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

**THURSDAY, THE FOURTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND SEVENTEEN**

**Present
HON'BLE SRI JUSTICE P.NAVEEN RAO**

WRIT PETITION No.31117 of 2017

Between:

Bhukya Sakri, W/o. Late Pentya,
Aged about 71 years, Occ: Agriculture,
H.No.21-98, Banjara Nagar,
DhubbaTahnda,
Torrur Mandal, Mahabubabad District
Formerly in Warangal District.

.. Petitioners

AND

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Revenue Department, Secretariat,
Hyderabad and 12 others.

.. Respondents

The Court made the following:

HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.31117 of 2017****ORDER:**

Heard.

2. This writ petition is filed for the following relief:

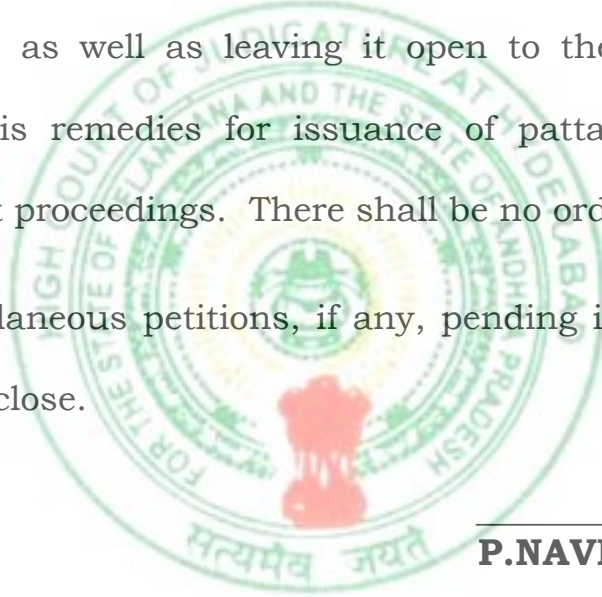
“.....to declare the action of the unofficial respondents 6 to 13 in trying to encroach the land of the petitioner to an extent of AC.0.26 gts in Sy.No.304/70, situated at Torrur Village & Mandal, Mahbubabad District, as illegal and arbitrary and for a consequential direction to respondent No.5 to issue patta certificate to the petitioner herein to an extent of Ac.0.26 gts in Sy.No.304/70 situated at Torrur Village & Mandal, Mahabubabad District”

3. A bare look at the prayer sought, itself would show that private parties, who are arrayed as respondents 6 to 13 in the writ petition are encroaching into the land claimed by the petitioner. If the petitioner has grievance regarding alleged encroachment and dispossession from the properties claimed by him, by the private parties, petitioner has to avail civil law remedy. There is no public law element involved in this writ petition. Therefore this Court is not inclined to entertain the writ petition filed under Article 226 of Constitution of India.

4. It is also seen from the prayer that a further relief sought by the petitioner was to issue a direction to the 5th respondent to issue patta certificate in his favour in respect of the land claimed by him. This relief does not flow out of the main prayer sought in the writ petition. Therefore, the said relief cannot be granted.

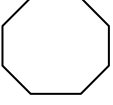
5. The writ petition is accordingly dismissed, leaving it open to the petitioner to work out his remedies available under law, as against the illegal interference by private respondents as well as leaving it open to the petitioner to work out his remedies for issuance of patta certificate in independent proceedings. There shall be no order as to costs.

6. Miscellaneous petitions, if any, pending in this petition shall stand close.



P.NAVEEN RAO, J

Date: 14.09.2017
dv



ON'BLE SRI JUSTICE P.NAVEEN RAO



WRIT PETITION No.31142 of 2017

Date:14.09.2017

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