

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.13874 of 2012

ORDER :

Heard counsel for the petitioners, Sri C.Buchi Reddy, Standing counsel for respondents 1 & 4, Smt Pingali Laxmi, Standing Counsel for 3rd respondent, and the Government Pleader for Revenue appearing for 2nd respondent.

2. This Writ Petition has been filed by the petitioners to declare the action of the respondents and their officials in making construction in the plots claimed by the petitioners in survey No.211 of Waddepally Revenue Village, Hanamkonda Mandal, Warangal District and to direct the respondents not to dispossess the petitioners from the subject land.

3. On 16.05.2012 this Court directed the respondents to maintain *status quo* obtaining as on that day.

4. Counsel for the petitioners states that the plots claimed by the petitioners are in survey No.211, but both the A.P. Housing Board and Municipal Corporation of Warangal are contending that the said plots are in survey No.215, and that they are attempting to dispossess the petitioners from the plots in their occupation in survey No.211.

5. The question whether the plots of the petitioners are in survey No.211 or in survey No.215 is a disputed question of fact, which cannot be conveniently adjudicated in Writ Petition under Article 226 of the Constitution of India, and the proper forum for adjudication of this dispute is the Civil Court.

6. Therefore, this Writ Petition is disposed of directing the petitioners to approach the competent Civil Court for the said relief. However, for a period of six (06) weeks from the date of receipt of a copy of this order *status quo obtaining* as on today shall be maintained by the respondents in respect of the subject land. There shall be no order as to costs.

7. Consequently, miscellaneous petitions pending if any, shall stand closed.

M.S. RAMACHANDRA RAO, J

15th March, 2017

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