

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.10523 OF 2013

ORDER:

Heard learned counsel for petitioner and the Assistant Government Pleader (Revenue) for 1st respondent.

The subject matter of the writ petition is an extent of Ac.0-10 gts out of Ac.4-12 gts in Sy.No.148 at Uppal Bagayath Village, Uppal Mandal an Municipality, Ranga Reddy District.

The petitioner prays for a Mandamus declaring the action of respondents 1 to 3 in interfering with the peaceful possession and enjoyment of petitioner over an extent of Ac.0-10 gts of patta land out of Ac. 4-12 gts in Sy.No.148 of Uppal Bagayat village, as illegal and unconstitutional.

The petitioner relies upon oral gift rectification deed and also a few alleged extracts from the office of Revenue Divisional Officer, Inspector of Survey and Land Records and Municipal Corporation.

Basically, it appears to this Court the prayer on the very case pleaded by petitioner involves consideration of disputed questions of fact, title and identity of the property. On the mere assertion of interference by respondents to a small extent of Ac.0-10 gts out of Ac.4-12 gts in Sy.No.148, this Court ought not to examine under Article 226 of the Constitution of India title, identity etc., much less grant any direction to respondents not to interfere, except in accordance with law. The petitioner, if has valid and enforceable title or a person claiming through 3rd respondent interferes, the

petitioner has to work out, canvass the prayer in a suit filed before the competent Court.

The writ petition is misconceived and is, accordingly, dismissed. There shall be no order as to costs.

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

S.V.BHATT, J

14th June, 2017

Lrkm

