

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.36380 of 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking the following relief:

“For the reasons disclosed in the accompanying Affidavit, it is therefore prayed that this Hon’ble High Court may be pleased to grant appropriate relief more in the nature of Writ of Mandamus under Article 226 of the Constitution, declaring the action of the party respondent in encroaching in petitioner property in Sy.No.221-235 in Srinagar Village, Maheswaram Mandal, Ranga Reddy District, while pendency of WP No.1761/2007, WP No.36978/2016 and W.A.No. 1363/2009, WP No.19543/2014 and OS No.1004/2015 and 1525/2014 including the Honourable I Additional District Judge, Ranga Reddy District, without determining ownership vis-à-vis the petitioner and party respondents, as arbitrary, illegal, discriminatory violating Article 14, 19 [1] [g] and 21 of the Constitution of India, and issue consequential directions, directing the party respondent from any encroachment or construction in Sy.No. 221-235 admeasuring Ac.309.00 guntas, in Srinagar Village, Maheswaram Mandal, Ranga Reddy District till disposal of WP No.1761/2007, WP No.36978/2016 and W.A.No. 1363/2009, WP No.19543/2014 and OS No.1004/2015 and 1525/2014 including Honourable I Additional District Judge, Ranga Reddy District, in so far as it relates to determining the ownership vis-à-vis the petitioner and party respondents, and pass such other order or orders as it deems fit and proper in the circumstances of the case.”

(Reproduced verbatim)

2. I have heard the submissions of Sri *S.V. Indra*, learned counsel appearing for the petitioner, Sri *Y. Rama Rao*, learned Standing Counsel appearing for the 1st respondent, learned Government Pleader for Municipal Administration and Urban Development appearing for the 2nd respondent, learned Government Pleader for Revenue appearing for respondents 3 to 6, learned Government Pleader for General Administration appearing for the 7th respondent

and of Sri *N. Ashok Kumar*, learned Standing Counsel appearing for the 8th respondent. I have perused the material record.

3. After the matter is heard for some time, learned counsel for the petitioner sought permission to withdraw the writ petition with liberty to file a fresh writ petition.

4. Recording the submissions, the Writ Petition is dismissed as withdrawn reserving liberty as sought for.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE M. SEETHARAMA MURTI

Date: 17th November, 2017

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