

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.525 OF 2018

ORDER:

The petitioner claims to be the absolute owner of the agricultural land to the extent of Acs.1.09 guntas in Survey No.461/AA (1) situated at Vattinagulapally Village, Rajendra Nagar Mandal, Ranga Reddy District. The petitioner has four brothers and all of them partitioned their properties. The share of the petitioner is Acs.1.09 guntas as stated above. While so, he submitted an application to the fourth respondent seeking to carve out way for his land and when no action was taken by the fourth respondent, the present writ petition is filed.

A perusal of the affidavit filed in support of the writ petition does not indicate the date on which the property was partitioned among the brothers. If the petitioner did not find any pathway by virtue of the partition, it is for the petitioner to work out his remedy as against the brothers in appropriate civil proceedings before the civil Court, but the Secretary, Gram Panchayat or the Revenue Authorities cannot carve out pathway as requested by the petitioner.

The representation as well as the present writ petition is misconceived and the writ petition is accordingly dismissed. However, this will not preclude the petitioner from taking appropriate legal proceedings in accordance with law.

Consequently, miscellaneous petitions, if any pending, in this writ petition, shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

22.01.2018
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