

HONOURABLE SRI JUSTICE T. AMARNATH GOUD

WRIT PETITION NO: 2 8 6 7 OF 2015

ORDER :

This writ petition is filed to declare the inaction of the respondents 3 to 7 in acting upon the petitioner's representation dated 27/8/2014 and 04-02-2015 respectively seeking emergent action to stop the ongoing renovation of "Basavappa Temple Work" situated in survey No. 10 of Metlakunta village, Bommarasipet Mandal, Mahbubnagar district apart from declaring the inaction of the respondents in taking preventive action as mandated under section 17 of the Scheduled Castes and Scheduled Tribes [Prevention of Atrocities] Act, 1989 as arbitrary, violative of Article 14, 15, 16, 17, 19, 21 and 300-A of the Constitution of India and consequently to direct the respondents to take all measures to protect the person and property of the petitioner in respect of the schedule land while awarding suitable compensation for the atrocity being sustained by the petitioner and to pass such other suitable orders as this Court may deem fit and proper in the circumstances of the case.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Home, Revenue and Social Welfare [Telangana].

3. The relief sought for in the present writ petition cannot be adjudicated under Article 226 of the Constitution of India, in view of disputed questions of fact and moreover the representation dated 27/8/2014 and 04-02-2015 respectively depict wild allegations for their recidivist conduct, against his tenant Sri Mogulaiah and his aide; Sri Bompally Babaiah and some group of persons belonging to the Metlakunta village of Bommarasipet Mandal of Mahbubnagar district, wherein criminal law will set into motion, as they started pooja by removing the stones erected around the petitioner's land and creating troubles.

4. In the light of the above facts and circumstances, this Court deems it appropriate to dismiss the writ petition, granting liberty to the petitioner to invigorate appropriate relief before appropriate forum, if he is so advised.

5. The writ petition is, therefore, dismissed. No order as to costs.

6. As a sequel, miscellaneous petitions, if any pending in this writ petition shall stand closed.

JUSTICE T. AMARNATH GOUD

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[RESULT : DISMISSED]



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