

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.3767 of 2018

ORDER:

This writ petition is filed challenging the action of respondent No.3 in interfering with the peaceful possession and enjoyment of the petitioner over the land admeasuring Ac.1.06 guntas in Survey No.839 of Jangalapally Gram Panchayat, Mulug Mandal, Jayashankar Bhupalpally District.

When the matter is taken up for hearing, learned Standing Counsel for respondent No.3 has produced before this Court a copy of the sale deed, dated 28.09.2000, executed by the petitioner in favour of the Gram Panchayat selling away an extent of Ac.1.00 of land in Survey No.838 and submits that there is no interference whatsoever, and as a matter of fact, it is the petitioner who is trying to encroach the land which he has already sold to the Gram Panchayat.

It is to be noted that the petitioner is claiming property in Survey No.839 and the Gram Panchayat is the owner of the adjacent land in Survey No.838 which the petitioner himself had sold it. The question as to whether the encroachment of the land by the respondents or the petitioner cannot be decided in the writ petition as it is a disputed question of fact.

Hence, the writ petition is closed giving liberty to the petitioner to avail the remedies under civil law with respect to the land in Survey No.839 over which he claims right.

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

CHALLA KODANDA RAM, J

Dt:14.02.2018

kdl



