

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION NO.6987 OF 2018

ORDER:

1. The petitioners claim to be pattadars and owners of land of an extent of Ac.5.00 out of the total extent of Ac.13.14 guntas situated in Survey No.174 of Thumkunta Village, Shamirpet Mandal, Medchal-Malkajgiri district, having purchased the same under three registered sale deeds in the year 2003. Their names were incorporated in the Revenue Records and pattadar passbooks and title deeds were issued. In fact, the 2nd petitioner constructed a Petrol Bunk and a school building in the said land. However, a third party created a fabricated sale deed and got it registered and filed O.S.No.1691 of 2005 on the file of the VI Additional Senior Civil Judge, Medchal seeking relief of perpetual injunction against the petitioners, but later on, he withdrew the same. The said third party filed W.P.No.23222 of 2013 challenging the construction of Petrol Bunk and withdrew the same also. Challenging the illegal acts of the said third party, the petitioners lodged a complaint with Shamirpet Police and the same was registered as Crime No.224 of 2013 on 11.10.2013. Now, the said third party filed L.G.O.P.No.561 of 2015 on the file of the Special Tribunal-cum-III Additional District Judge,

Ranga Reddy district, seeking to declare the petitioners as land grabbers. The 3rd respondent was directed to submit a report with regard to the present status of the same the 4th respondent conducted an enquiry and submitted report to the 3rd respondent. The 3rd respondent, accordingly, placed it before the Tribunal by his letter dated 27.1.2017. When the name of the third party was deleted, he preferred a Revision before the Joint Collector enclosing a copy of the said report and the petitioners came to know about the same. Now the petitioners state that the report submitted by the 4th respondent, which was in turn forwarded by the 3rd respondent, does not reflect the correct factual position. Hence, challenging the same, they filed the present Writ Petition.

2. Since Revision proceedings are pending before the Joint Collector, Ranga Reddy district, and a regular L.G.O.P.No.561 of 2015 is pending before the said Tribunal under A.P. Land Grabbing Act, this Court is not inclined to entertain the present Writ Petition as the report is only a piece of evidence, the veracity of which can be impeached by taking appropriate proceedings in the pending Original Petition before the competent Court.

3. In view of the availability of alternative remedy, the present Writ Petition is dismissed at the admission stage.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

A. RAMALINGESWARA RAO,J

Date: 12.3.2018

KPM

