

THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION NO.23890 OF 2007

ORDER:

Heard the counsel for the parties.

The prayer in the Writ Petition is as under.

“...to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the first respondent in not returning the petitioner's Kissan Vikas Patras bearing Nos.82 CC 793679 to 82 CC 793683 as illegal, arbitrary and unconstitutional, consequently to directing the second respondent to pay the amount of Kissan Vikas Patras bearing No.82 CC 793679 to 82 CC 793683 to the petitioner (nominee) and to pass such other order or orders in the interest of justice.”

The basic grievance of the petitioner in the Writ Petition is that the first respondent, who is his father-in-law, has taken away the Kissan Vikas Patras bearing Nos.82 CC 793679 to 82 CC 793683 from his father after death of his wife. The said Patras were given to the first respondent on the ground that he, being an employee in the Postal Department, would encash the said Patras and handover money to the petitioner. However, the first respondent, failed to either return the Kissan Vikas Patras or encash the same and handover money to him. In those circumstances, the present Writ Petition is filed.

A perusal of the contents of the affidavit clearly reveal that the grievance of the petitioner is against the first respondent, who is a private individual. Admittedly, the Writ Petition would not lie against a private individual. On this short ground, this Court feels

that there are no merits in the Writ Petition and the same is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. However, it is open to the petitioner to pursue the remedies available to him in law. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand dismissed.

(P.KESHAVA RAO, J)

9th February 2018
RRB

