

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.10940 of 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking verbatim the following relief:

“For the reasons stated in the accompanying affidavit filed in support of the writ petition, it is therefore, prayed that this Hon’ble Court may be pleased to issue an appropriate writ, order or direction more especially one in the nature of Writ of Mandamus declaring the action of the respondents in interfering with the peaceful possession and enjoyment of the petitioners private patta lands admeasuring 1200 sq. yards, situated in Survey No.316/1/A of Chandanagar village, Serilingampally Mandal, under GHMC Serilingampally Circle, Ranga Reddy District, as bad, illegal, arbitrary, mala fide one and without jurisdiction and consequently to direct the respondents not to interfere with the peaceful possession and enjoyment of the petitioners in any manner over the said lands in the interest of justice and pass such other order or orders as this Hon’ble Court deems fit and proper in the circumstances of the case.”

2. I have heard the submissions of Sri *H.Venugopal*, learned counsel appearing for the petitioners, and of the learned Government Pleader for Home (Telangana) appearing for the respondents 1 to 5. I have perused the material record.

3. Learned counsel for the petitioner would submit that the only grievance of the writ petitioners is interference with the peaceful possession and enjoyment of the petitioners over patta lands/subject lands without any reason or cause by the respondents.

4. Learned Government Pleader for Home, on written instructions, dated 09.04.2018, a copy of which is placed on

record, would submit that on the report of one Mallaiah, a case in Crime No.920 of 2017 was registered, on 27.12.2017, by the Station House Officer, Chandanagar Police Station, Cyberabad Commissionerate, for the offences punishable under Sections 382, 448, 452, 506, 120 (B) read with 34 of Indian Penal Code, 1860, and Section 156 (3) of the Code of Criminal Procedure, 1973, and that if the said person is also impleaded as a party respondent, the real facts would come to light. It is stated in the said written instructions, placed on record, that except conducting investigation into the afore-stated crime, as per procedure established by law, the respondents never interfered with the subject lands of the petitioners herein, covered by Survey No.316/1/A of Chandanagar Village, Serilingampally Mandal.

5. In reply, learned counsel for the petitioners would submit that in the afore-stated crime, one Sri Sai Yadav and 5 others are the accused and that the petitioners are nothing to do with the alleged crime. He would further submit that in view of the latter submission in the written instructions, which are reiterated by the learned Government Pleader for Home, the writ petition can be closed recording the said submission.

6. Recording the said submissions, the Writ Petition is closed accordingly. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order.

M.SEETHARAMA MURTI, J

Date: 12th April, 2018

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