THE HON'BLE SRI JUSTICE S.V.BHATT

W.P. No.10737 of 2017

ORDER:

The petitioner prays for the following relief:

> ".....Writ of Mandamus, declaring the inaction of the Respondents 2 & 4 in initiating action against the 6th Respondent pursuant to the petitioner's representation dt 27.12.2016 as illegal, arbitrary and violation of petitioner's right guaranteed under the Constitution of India, as illegal, arbitrary, unconstitutional and against the principles of natural justice and contrary to law and consequently direct the respondents to initiate enquiry against the 6th respondent and take appropriate action in favour of the petitioner against the 6th respondent....."

The learned counsel for petitioner states that the reason for filing representation can be traced to sale and purchase of a plot between petitioner and the 6th respondent in their individual capacity.

The petitioner filed representation stating that 6th respondent who is working in APSRTC obtained possession certificate for the property sold by him to the petitioner, taking advantage of their residing in the said property as tenants. Basing on the same, 6th respondent got loan sanctioned under Indiramma Grurha Nirmana Pathakam scheme in the name of his wife for the property of the petitioner.

This Court after perusing the representation is of the view that no statutory obligation is referred to in the representation, for consideration by the respondents. As it is a small dispute between the petitioner and the 6th respondent wherein the cloud of the property transfer from 6th respondent in favour of the petitioner is not disclosed, petitioner can work out remedies in the suit already filed in this behalf.

This Court is not convinced to exercise the jurisdiction under Article 226 of Constitution of India.

Writ petition fails and accordingly dismissed. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 17.04.2018
dv

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
सत्यमेव जयते