HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.32375 of 2018

ORDER:

The present Writ Petition came to be filed seeking issuance of writ of mandamus declaring the inaction of the respondents 2 and 4 in not considering the representation dated 31.05.2017 and R-3 not considering the representation dated 30.04.2018 submitted by the petitioner as illegal and improper and consequently direct the respondents 2 to 4 to take action as per law against the respondents 6 to 13 from further laying the road through the agricultural dry land an extent of Ac.1.06 gts of the land in Sy.No.344, Arepalli village, hamlet of Sankepally revenue village, Karimnagar District, presently Sirsilla District and use the road as a path way by the respondents and other villagers and from further doing construction of the temple by the m in the said land.

2) It is represented that in the present Writ Petition the grievance of the petitioner appears to be that the unofficial respondents are laying a road through the land of the petitioner and that they have also constructed a small temple, which is unauthorized. According to him, inspite of repeated representations made, the authorities/official respondents are not taking any action on the said representations.

3) The learned Assistant Government Pleader for Revenue (TS) who took time to get instructions states that no permission is granted by any of the authorities for laying a road through the land of the petitioner in Sy.No.344 of Arepalli village. He submits that if the petitioner is aggrieved by the action of the unofficial respondents, he is always at liberty to approach the Civil Court. It is stated that the petitioner filed a suit for declaration and the same is pending. Even in respect of construction of the temple, it is stated that the representation made by the petitioner will be dealtwith in accordance with the provisions of law.

4) Hence, the Writ Petition is disposed of directing the petitioner to approach the civil court, if any of the unofficial respondents are interfering with his property in Sy.No.344 of Arepalli village, Hamlet of Sankepally Revenue village, Karimnagar District, presently Rajanna Sirisilla District, while laying the road. Insofar as the construction of the temple by the villagers, it is always left open to the authorities to deal with the same in accordance with law, if it is found to be illegal and unauthorized.

5) There shall be no order as to costs. Miscellaneous Petitions, pending if any in this Writ Petition shall stand closed.

_____

C. PRAVEEN KUMAR, J

Date: 17.09.2018
GM

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