

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.10725 OF 2011

ORDER:

This writ petition is filed seeking the relief as under:-

“to issue a writ order or direction more particularly one in the nature of writ of mandamus the declaring the action of the respondents No. 1 to 3 in interfering with the possession of petitioner's property admeasuring Ac. 0-12 guntas bearing Plot No. 1 in Sy. No. 369/1 2, situated at Nagarkurnool Town, Mahaboobnagar District, through 7th respondent by filing frivolous claims, complaints who in turn has effected seizure of JCB and also arrest of the driver thereby obstructing the writ petitioner from carrying out construction activity over the subject land as arbitrary, illegal and violative of principles of natural justice and article 14, 21 and 300-A of Constitution of India and also in gross violation of the orders of a Division Bench of this Hon'ble Court in C. R. P. No. 5613/2000 WPNos. 1718/2001, 2669/2001, 2669/1997, Tr. A. S. 213/2002 and W. A.Nos. 231 and 321/2001, dated 15-10-2003 which attained finality by virtue of dismissal of SLPNo. 19541/2006 by the Hon'ble Supreme Court of India.”

In the light of the counter affidavits filed on behalf of respondent Nos.1,2 & 3 and respondent No.7 and in pursuance of the interim orders passed by this Court on 09.03.2012, this Court cannot delve into the disputed questions of fact and with regard to the institution of criminal cases are concerned, it is for the Court below to adjudicate the matter. As such the relief as sought for in the writ petition cannot be granted by this Court.

The writ petition is accordingly dismissed. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

T. AMARNATH GOUD, J

21st DECEMBER 2018.

Tsr