

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.35621 of 2018

ORDER:

This writ petition is filed seeking a direction to the 2nd respondent not to demolish the existing structures over the plot bearing No.23, admeasuring 294 square yards in Sy.No.179, 185 and 186 situated at Mallikarjuna Nagar Colony, Nagaram Village and Keesara Mandal, Medchal Malkajgiri District without following due process of law.

From the pleadings, it appears that there is dispute regarding identity of the property and respondents also dispute the claim of the petitioner and say that the petitioner has encroached the land in Sy.No.196 of Nagaram Village belonging to the respondents.

Learned counsel for the petitioner submits that the petitioner filed O.S.No.434 of 2018 and he obtained injunction, but the schedule in the said suit pertains to survey numbers other than Sy.No.196. In view of the same, disputed questions of fact cannot be decided in the writ petition. However, it is open for the petitioner to avail alternative remedies available to him under law.

Accordingly, this writ petition is disposed of granting liberty to the petitioner to avail alternative remedies available to him under law. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

12-10-2018
Nvl



