

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.36706 of 2018

ORDER:

Heard the learned counsel for the petitioner and Sri Sampath Prabhakar Reddy, learned Standing Counsel for the respondent Municipal Corporation.

2. In the present writ petition, the complaint of the petitioner is the alleged inaction on the part of the official respondents in not taking action against the group of people claiming to be owners, who according to the petitioners, are objecting the earth works being undertaken by the petitioners herein.

3. In the considered opinion of this Court, the said request as claimed by the petitioner herein cannot be entertained under Article 226 of the Constitution of India. The affidavit filed in support of the present writ petition does not indicate the names of the individuals who are the members of the group nor they are shown as respondents in the writ petition. Obviously, a civil litigation is sought to be brought for adjudication before this Court under Article 226 of the Constitution of India. It is also submitted during the course of the arguments by the learned Standing Counsel that there is no document of title filed by the petitioner herein along with the writ petition.

4. In view of the above, this Court is not inclined to entertain the present writ petition under Article 226 of the Constitution of India as no provision of law is brought to the notice of this Court under which enquiry has to be undertaken by the official respondents.

5. The writ petition is accordingly dismissed. However, it is open for the petitioner herein to raise his claims, if any, before the competent civil Court. As a sequel, the miscellaneous petitions, if any, shall stand disposed of. There shall be no order as to costs.

A.V.SESHA SAI, J

Date:10.10.2018
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