

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 4317 of 2019

Date : 5.3.2019

Between:

J Bharat Sing S/o Late Dasharat Sing Age 58Yrs Occ
Agriculture 130 Mirzaguda Janwada Shankarpally,
Rangareddy Dist

Petitioner

And

The State of Telangana
Rep by Its Principle Secretary to Home Secretariat
Hyderabad & others

Respondents

The Court made the following:



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ORAL ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Home.

2. Petitioner alleges that under the guise of interlocutory order passed by the XII Additional District Judge, Vikarabad dated 17.3.2018 in I.A. No. 8 of 2018 in O.S.No.33 of 2015 instituted by 4th respondent herein and others, the 4th respondent is trespassing into the subject land and altering the physical features of the land. Aggrieved thereby, petitioner filed complaint which was registered as Crime No.362 of 2018, Narsingi Police Station.

3. From the material on record, it appears apprehending law and order problem and disturbance of peace because of the rival parties touching on the issue on the subject properties, suo moto Crime No. 113 of 2019 was registered under Section 107 and 151 of Criminal Procedure Code.

4. It is seen from the order of the XII Additional District Judge, Vikarabad that petitioner herein is defendant no.1 in O S No. 33 of 2015, injunction is granted against petitioner and others from changing the nature or physical features of the petition schedule properties. Therefore, the order is against the petitioner and if petitioner claims that he is owner of the property and under the guise injunction order passed by competent civil Court, 4th respondent is encroaching into their land or altering the physical features, petitioner has to workout his remedies before the civil Court. Having regard to the same, Court is not inclined to grant the relief sought for. Accordingly, writ petition is disposed of, leaving it open to the petitioner to workout remedies available to him

under law. No costs. Miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 5-3-2019
TVK



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