

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.5223 of 2019

ORDER:

1 The prayer of the petitioner in this case reads as under:

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue a Writ, Order or Direction; more particularly, one in the nature of Writ of Mandamus declaring the inaction of Respondent nos.2 to 4 in not taking any action against the illegal excavation of rocks and non removal of the illegal construction carried out and non removal of the illegal residential and commercial structures as well as declaring the action of Respondent No 5 and 6 in registering the property in Survey no 126 of Narsingi Village Ranga Reddy District in spite of the same being a government land and being declared as prohibited property as illegal arbitrary and against the Principles of natural justice and in violation of the constitutional rights provided in Article 14 and the rights Constitution guarantees under Article 300 A and consequently direct the respondent authorities to remove the encroachments and secure the same by fencing and to prevent any kind of further registration/conveyance of the same and passand pass such other order or orders as this Hon'ble Court deem fit and proper in the circumstances of the case.”

2 Perusal of the affidavit filed in support of the Writ Petition demonstrates that the petitioner is acting in public interest as he has no personal interest in the subject land. It is his case that he is a regular visitor to the Hanuman temple and noticed the illegalities being perpetrated by the unofficial respondents.

3 As this Court has separate Rules in place for filing of Public Interest Litigation cases, it would be appropriate that the petitioner takes recourse to such procedure.

4 The Writ Petition is accordingly dismissed on this short ground leaving it open to the petitioner to file a Public Interest Litigation case as per due procedure, if so chooses.

5 Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

Date: 27.03.2019
Kvsn