

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.7979 of 2019

Date : 17.4.2019

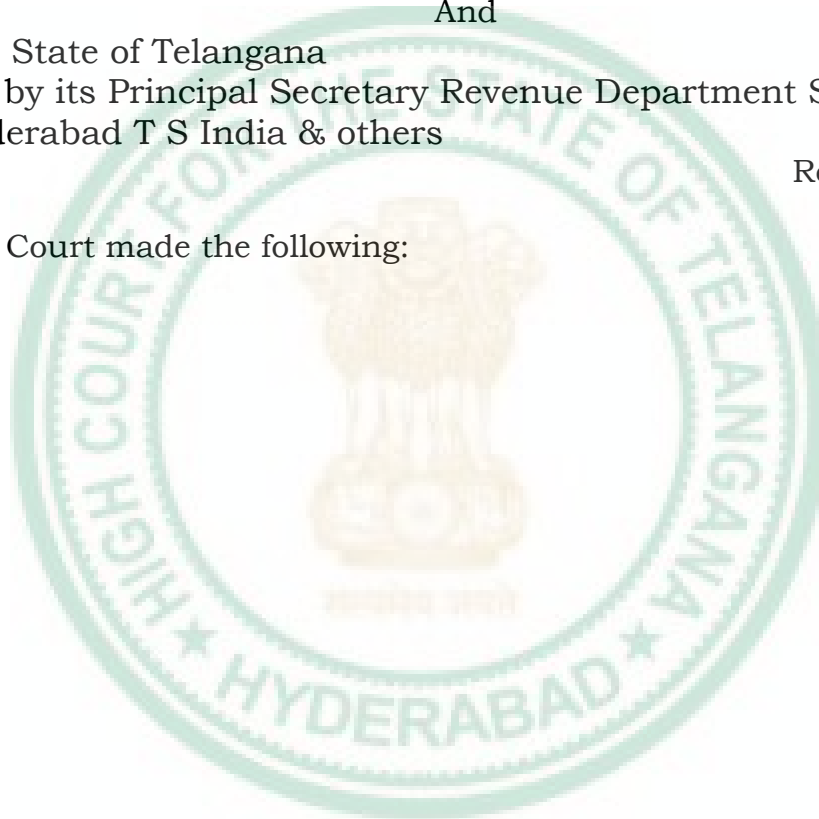
Between:

Smt VasamTulsamma Surrender Extrmist
W/o Md Yousuf Khan aged about 60 years Occ TRS Muslim
Mahila Nalgonda Town President R/o H No 124136
Miryalaguda Raod Ramnagar Nalgonda Town and District
Petitioner

And

The State of Telangana
rep by its Principal Secretary Revenue Department Secretariat
Hyderabad T S India & 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 claims to own land in Survey Nos.3, 13, 34, 46, 63, 79, 80, 88, 92, 97, 113, 117, 118, 166, 198, 218, 227, 228, 233, 21, 268, 281, 282, 283, 284, 285, 290 and 294, Abdullapurmet, Hayathnagar Mandal, Ranga Reddy District. This writ petition is filed alleging that some unknown persons trespassed into her land and undertaking constructions, which is ex-facie illegal and in spite of the fact that the issue was reported to the competent authorities, no action is taken by them against said illegal constructions. Petitioner therefore prays to declare the action of respondents 1 to 7 in not taking action against unknown persons illegally trespassing and raising constructions in land covered by above survey numbers and seeks directions to protect the public/ private properties.

3. On the one hand petitioner claims that said property as his personal property and on the other hand he claims the subject land as 'Government land'. Be that as it may, petitioner instituted O.S. No. 1296 of 2017 pending in the Court of XIII Additional District Judge, L B Nagar, Ranga Reddy District praying to grant permanent injunction and application filed by the petitioner seeking interim injunction is also pending. It appears, petitioner also filed applications to implead official and unofficial respondents who claimed to have trespassed into her land. Thus, on the identical issue, suit and application to grant injunction are

pending, therefore, this Court is not inclined to entertain the writ petition on the very same issue pending before the competent civil Court. Thus, leaving it open to petitioner to prosecute the pending suit and applications filed therein, writ petition is dismissed. No costs. Miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

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