

THE HON' BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.9646 of 2019

ORDER:

The grievance of the petitioner is that respondents 5 and 6 are encroaching into her land and making illegal constructions in Survey No.32 of Guttalabegumpet Village, Serilingampally Mandal, Ranga Reddy District.

Heard.

Prima facie, even according to the averments in the writ affidavit, there is a boundary dispute, allegedly raised afresh, and the petitioner has submitted representations to the authorities requesting to conduct survey of the land in question. Admittedly, survey has not been conducted yet. Though the petitioner's counsel contends that municipal authorities are not taking action to stop the alleged encroachment and illegal construction, even assuming for argument sake that respondents 5 and 6 have encroached into the petitioner's land and making constructions, the extent of petitioner's land encroached upon, the rights over the land, and matters relating to boundary disputes cannot be decided by municipal authorities; and the proper course of action for the petitioner is to approach competent Civil Court and seek appropriate relief. Since the petitioner's counsel submits that civil suits have already been filed before the concerned Civil Court against respondents 5 and 6, the petitioner is at liberty to pursue the same and obtain appropriate injunction reliefs, in accordance with law.

Subject to the above, the writ petition is disposed of. No costs. Miscellaneous petitions, if any pending, shall stand closed.

JUSTICE CHALLA KODANDA RAM

30th April, 2019
KSM

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