

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION No.9721 of 2019**

**ORDER:**

Heard learned counsel for the petitioner, learned Government Pleader for Municipal Administration and Urban Development for the 1<sup>st</sup> respondent and Ms. P. Laxmi, learned Standing Counsel for the 2<sup>nd</sup> respondent.

2. The petitioner asserts that she is the owner and possessor of the house site admeasuring 110 sq. yards in Sy.No.314/A of Fort Warangal Shivar, Warangal City and District, and that when the 3<sup>rd</sup> and 4<sup>th</sup> respondents, who are adjacent land owners, are trying to encroach her house site, she filed a suit in O.S.No.1000 of 2016 on the file of the V Additional Junior Civil Judge, Warangal, along with I.A.Nos.1652 and 1653 of 2016 for temporary injunction, wherein the learned Judge has passed injunction order on 07.11.2017, restraining the respondents from interfering with the peaceful possession and enjoyment of the petitioner over the subject property and modifying the nature of the said property. The grievance of the petitioner is that though the injunction order is still in force, the 3<sup>rd</sup> and 4<sup>th</sup> respondents are making constructions by encroaching into her house site violating the order of injunction. She further asserts that though she made a representation on 22.04.2019 before the 2<sup>nd</sup> respondent, no action has been taken thereon. Hence, she filed the present writ petition alleging that the 2<sup>nd</sup> respondent is not taking any action on her representation and against the illegal constructions made by the 3<sup>rd</sup> and 4<sup>th</sup> respondents.

3. Admittedly, the dispute between the petitioner and the 3<sup>rd</sup> and 4<sup>th</sup> respondents is civil in nature. In case of violation of the order of injunction passed by the civil Court, the petitioner has to take steps in accordance with law before the competent civil Court. However, there is no duty cast upon the 2<sup>nd</sup> respondent to take into consideration the allegations of the petitioner at this stage.

4. Hence, the Writ Petition is dismissed. No order as to costs.

5. Miscellaneous petitions, if any pending in this writ petition, shall stand dismissed.

30<sup>th</sup> April, 2019

sj

**CHALLA KODANDA RAM, J**

