

THE HONOURABLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.11948 of 2019

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, for the following relief:

“....to issue a Writ, Order or Direction, more particularly one in the nature of a Writ of Mandamus declaring the inaction of the Respondents in taking any action against the complaint dated 28/08/2018 made by the Petitioner to protect, 2 pieces of land admeasuring 10 guntas and 70 yards and another 10 guntas 70 yards of lands in Survey No.63/A and Survey No.32/A adjacent to Metpally to Nizamabad Highway situated at Venkatraopet Village of Metpally Mandal as illegal, arbitrary and in violation of principles of natural justice and consequently direct the Respondents to forthwith register an FIR against Respondent No.4 to protect petitioner’s properties and pass such other order or orders as this Hon’ble Court may deem fit and proper in the interest of justice and in the circumstances of the case.”

2. Learned Assistant Government Pleader for Home pointed out that the so-called complaint, dated 28.08.2018, is for invoking the provisions of the Prevention of Damage to Public Property Act (for short, ‘the PDPP Act5’) and that the petitioner cannot seek a writ of mandamus for invoking the provisions of PDPP Act. He further submits that it is for the concerned authority to take action under the provisions of the PDPP Act.

3. In this case, it is to be seen that the complaint of the petitioner is one thing and the prayer in the writ petition is quite another. In view of the same, no relief can be granted.

4. Accordingly, the writ petition is dismissed.

As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A. RAJASHEKER REDDY, J

25th June 2019

mar

