

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.15894 OF 2019

Date:29.07.2019

Between:

Mohammed Ameer Ali Khan,
S/o. Ameer Sayed Khan, aged about
36 years, Occ: Business, R/o.H.No.8-42/2,
Shaheen Nagar, Masjid-e-Ameer Hamza,
Pahadishareef, Balapur Mandal,
Ranga Reddy District, Telangana State .. Petitioner

And

The State of Telangana, rep., by its
Secretary, Municipal Department,
Government of Telangana, Secretariat,
Hyderabad and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.15894 OF 2019****ORDER:**

Heard.

2. Petitioner claims to be the co-owner of huge extent of land in Survey Nos.64, 65, 67, 102, 103, 105, 107, 108, 426 and 427 of Yadgarpally Village, Keesara Mandal, Ranga Reddy District, which according to him is agricultural land. While so, the other co-owners and others are now developing the said land into commercial and residential plots by forming a layout and the same is illegal. Alleging that illegal development activity is going on over the subject land, petitioner claims to have made an application/complaint to the Hyderabad Metropolitan Development Authority (HMDA) on 12.05.2019. Alleging inaction on the said application, this Writ Petition is filed.

3. A reading of the complaint would show that certain documents are brought on record by those persons and based on those sale transactions, the unofficial respondents claimed ownership and are undertaking development activity. Except stating that petitioner is the co-owner of the subject property and referring to certain entries in the revenue records reflecting the name of Chunnu Begam, who claimed to be the grand mother of the petitioner, no other material is placed on record to show semblance of his right.

4. If the petitioner claims ownership and the exclusive right on the property vis-à-vis the claim of the unofficial respondents, petitioner has to assert his right by availing the remedy as

available in civil law. Unless and until the petitioner asserts his right, merely because the unofficial respondents are taking up development activity on the subject land, the Court cannot entertain the Writ Petition and grant the prayer sought in it. Apparently, there is some dispute between the parties and that dispute has to be resolved in a civil litigation.

5. The Writ Petition is accordingly dismissed. Pending miscellaneous petitions shall stand closed.

Date:29.07.2019

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P. NAVEEN RAO, J

