

**THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY**

**WRIT PETITION No.19180 of 2019**

**ORDER :**

This writ petition is filed for the following relief;

“... to issue a writ order or direction more particularly one in the nature of writ of *Mandamus* declaring the action of the respondents 3 and 4 herein in interfering with the property rights and easementary rights by the petitioners are not allowing them to use 18 feet passage for the ingress and egress at the instance of the respondent Nos.3 and 4 is arbitrary and illegal, *void abinitio* beside violative of article 21 and 300 A of the Constitution of India beside principles of natural justice, and consequently direct to respondents 3 and 4 herein not to interfere with the possession and enjoyment over the property of the petitioner and also use the passage which was already provided to ingress and egress to their respective properties situated at lands in Sy.No.23/AA/4 to an extent of Ac.0.14 guntas of the 1<sup>st</sup> petitioner and to extent of 0.27 guntas in Sy.No.23/AA/2, situated at Venkatraopet village, Metpally mandal, Jagtial District, and pass such other order.....”

Learned Assistant Government Pleader for Home produced written instructions dt.03.09.2019 submitted by the Sub-Inspector of Police, Metpalli P.S., Jagtial District.

To the extent of their relevance to the present writ petition, the said instructions read as under;

“ It is submitted that one Baddam Narender Reddy, who is respondent No.5 in the present writ petition gave a complaint to the Sub-Inspector of Police, Metpally on 22.08.2019 stating that he is having land of 22 guntas in

Sy.No.23/AA, 32/A, situated at outskirts of Venkataropet Village, Metpally Mandal, Jagtial District, that on 18-08-2019, at 7.30 P.M., one Komireddi Shankar and others trespassed into his land and damaged the boundary stones and also trying to occupy the land, further threatened with dire consequences.

It is submitted that on receipt of above complaint, GD entry was made on and enquiry was done. During enquiry the Station House Officer addressed a letter to the Executive Magistrate and Tahsildar, Metpalli on 02.09.2019 with a request to provide land particulars in Sy.No.23/AA, 32/A, situated at outskirts of Venkataropet Village, Metpally Mandal, Jagtial District. The reply of the Tahsildar is awaited. After obtaining reply of the Tahsildar, action will be taken on the complaint as per law.

It is submitted that the allegations made by the petitioner that the respondent Nos.3 and 4 are calling them to police station frequently and threatening them not to use the 18 feet passage is false and denied herewith as the respondent Nos.3 and 4 never called the petitioner to police station nor threatened them not to use any passage.”

In view of the aforesaid written instructions, recording the same, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

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**A.RAJASHEKER REDDY, J**

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