

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No.23568 of 2019

ORDER:

Heard the learned counsel for the petitioner as well as the learned Standing Counsel for the respondent Nos.1 and 2.

2. The petitioner alleges that the Tahsildar, Bandlaguda Mandal, Hyderabad, had issued a Land Owner Certificate to the applicant viz., Tanveeruddin Sidique, S/o. late Mohammed Musheeruddin Siddique, resident of Tolichowki, Hyderabad on 12-02-2016, confirming that the lands in Sy. Nos.151, 152, 160/1, 160/2, 161, 162/1, 162/4 and 165 situated at Bandlaguda Khalsa village, Bandlaguda Mandal, Hyderabad, are recorded in column No.(11) Pattedar Column in the name of Iqbal Hussain *Vagaira*, S/o.Irshad Hussain, having total extent of Ac.41.04 gts. The said Certificate alleged to have been issued based on the pahanies for the years 1974-75 and 1980-81.

3. However, as can be seen from the very documents filed by the petitioner, particularly, sale deeds between the respondent Nos.4 to 8, it is clear that the land in Sy. Nos.151, 152 and 153 of Bandlaguda Khalsa village, is a patta land and Occupancy Certificate was also issued on 05-12-2016 in favour of the vendors therein and the land was also surveyed on 21-12-2017.

4. The allegation of the petitioner in the Writ Petition is that respondent Nos.3 to 8, though they are not owners of the land, are developing an illegal layout. *Prima facie*, the averments in the Writ Petition and the material filed before this Court disclose that the matter relates to the immovable property of vast extent of land. Further, the questions as to whether the petitioner has any right or whether the respondent Nos.3 to 8 have a superior right over the subject land and whether they have obtained permission for making layouts are all have to be investigated based on the facts involved in the dispute between them by the Civil Court and therefore the Writ Petition of this nature is not maintainable at this stage.

5. Accordingly, the Writ Petition is dismissed. However, liberty is given to the petitioner to work out his remedies in Civil Court. No costs.

6. Miscellaneous petitions pending in the Writ Petition, if any, shall stand closed.

JUSTICE CHALLA KODANDA RAM

Date: 29-10-2019.

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