

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.24805 OF 2019

Date:12.11.2019

Between:

Smt Ravula Sugunamma,
W/o.late Ram Reddy, Aged about 76 yrs,
Occu : Agriculture, R/o.Rangapuram Village,
Kodakandla Mandal, Jangaon District.

.....Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Revenue Department,
Secretariat Building, Hyderabad & others.

.....Respondents



The Court made the following:

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ORDER:

Heard learned counsel for petitioner and learned Government pleader for Revenue for respondents 1 to 4.

2. According to petitioner, her husband was the owner of property to an extent of Ac.3-15 guntas in Sy.No.72 of Rangapuram Village, Kodakandla Mandal, Jangaon District. After the death of her husband, petitioner succeeded to the said property and has been in possession and enjoyment. According to petitioner in the year 2018, she came to know that the name of father of 7th respondent i.e., Valluri Yakaiah was entered in the possession column. Surprised by this, petitioner made several representations to delete the name of father of 7th respondent. But so far no action is taken.

3. Petitioner further alleges that respondents 5 and 6 have been interfering with her possession and enjoyment of land and without any notice or opportunity are trying to lay solar power plates on her land.

4. In this writ petition petitioner seeks declaration of the action of respondents 2 to 4 in not taking any action against respondents 5 and 6 who are illegally threatening the petitioner to dispossess from the agricultural land admeasuring Ac.3-15 guntas in Sy.No.72 of Rangapuram Village, Kodakandla Mandal, without following the due procedure of law.

5. It is seen from the prayer that petitioner has two independent grievances. One is with reference to recording of name of father of 7th respondent in the possession column and the

second is with reference to alleged encroachment/interference with the possession and enjoyment of petitioner's land by respondents 5 and 6. The averments in the affidavit are silent as to how petitioner is linking her grievance against 7th respondent to that of alleged interference by respondents 5 and 6. Learned counsel for the petitioner is unable to explain the link and only requests the Court to direct the respondent authorities to consider the request made by the petitioner for deletion of name of father of 7th respondent from the possession column.

6. However, as noticed above, the prayer in the writ petition is not on the said issue, but it is with reference to alleged interference by respondents 5 and 6. Respondents 5 and 6 are private entities and if they are interfering with the possession and enjoyment of the petitioner's property, she has to avail civil law remedy. No direction can be issued in the writ petition under Article 226 of the Constitution of India against alleged interference by the private parties and no direction can be issued to the revenue authorities to prevent alleged interference by private parties on an inter se dispute between two private parties.

7. Thus, leaving it open to the petitioner to work out her remedies with reference to deletion of name of father of 7th respondent in the revenue records, which is an independent issue and to work out her remedies against respondents 5 and 6 on the allegation of interference the Writ Petition is dismissed. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO,J

12th November, 2019
Rds