

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.26964 OF 2019

Date: 06.12.2019

Between:

Parpuni Narsimha s/o. Mallaiah, Aged 65 years,
Occu: Agriculture, r/o. H.No.3-58, Kothur village,
Mulugu Mandal, Siddipet district, Telangana State
and others.

.....Petitioners

and

The State of Telangana, rep.by its Prl.Secretary,
Revenue Department, Secretariat, Hyderabad
and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioners contend that they purchased house plots in Sy.No.449 of Kothur village, Mulugu Mandal, Siddipet District. Petitioners allege that respondents 6 to 12 are the owners of land in Sy.No.461, which is abutting the land of petitioners divided by existing road from time immemorial. This road is used by Kothur village people and other village people peacefully and continuously without any interruption. While so, respondents 6 to 12 in order to compensate loss caused by leaving certain open space and roads are trying to occupy the portion of the land left over as Panadi land, which is only source for the petitioners to ingress and egress to the main road and internal roads in Sy.No.449. Petitioners allege that in spite of making several complaints, no action is taken and on account of blocking the road, petitioners are deprived of their access to the main road.

2. Material on record would disclose that petitioners herein have instituted O.S.No.44 of 2016 pending in the Court of Principal Junior Civil Judge at Gajwel. Petitioners made same allegations as stated in the affidavit filed in support of the Writ Petition. Petitioners sought to grant decree of permanent injunction restraining the respondents 1 to 4 therein and their henchmen or legal heirs or any other person from occupying the suit schedule property i.e., panadi. Learned counsel for petitioners also states that plaintiffs filed two Interlocutory Applications; first I.A., to grant injunction against encroachment into Panadi, and second

I.A., to appoint Advocate-Commissioner to find out the physical features of the subject property.

3. Having regard to the fact that on the very same property, petitioners already invoked jurisdiction of civil Court and also filed interlocutory applications to grant injunction and to appoint Advocate-Commissioner to find out the physical features of the subject land, Court is not inclined to entertain the Writ Petition merely on the ground that independently petitioners made representations to the various authorities and complained of inaction by the said authorities. Thus, leaving it open to petitioners to work out their remedy as available in law, Writ Petition is dismissed. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

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