

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.47805 OF 2018

ORDER

The prayer of the petitioner in this case reads as under:

‘For the reasons stated in the accompanying affidavit, it is prayed that this Hon’ble Court may be pleased to issue an appropriate writ or order direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent No. 1 to 4 in not considering the representations submitted by the petitioner against the illegal construction in Survey No. 164/E () part B Water tank Premises Kismatpur village, Gandipet Mandal, R.R.Dist.Telangana State for extent of 1 Acre land and interfering with our possession of the schedule property as illegal and unjust and consequently direct the 4th respondent give police protection to the petitioner and his property in till the process of mutation completes by the Respondent No.3 and pass such order or orders as this Hon’ble Court may deem Fit and proper in the circumstances of the case in the interest of Justice.’

The grievance of the petitioner is with regard to the illegal construction allegedly made by the unofficial respondents herein, viz., respondents 5 and 6. It is his claim that in the guise of such construction, the unofficial respondents are also trying to trespass over his property.

Sri K.Venkataramana, learned counsel for the petitioner, is however unable to demonstrate as to how the revenue authorities or the police authorities would be concerned with such illegal construction or the alleged encroachment of private property. If the petitioner has any grievance with regard to such alleged illegal activities on the part of the unofficial respondents, it is for him to take recourse to private law remedies. When a writ petition is sought to be maintained, the petitioner must demonstrate his entitlement to invoke such a public law remedy.

The petitioner is unable to do so in so far as the revenue and police authorities are concerned.

The writ petition is utterly misconceived and is accordingly dismissed. Pending miscellaneous petitions shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

2nd JANUARY, 2019

Sv

