

THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION No.34835 of 2014

ORDER:

There is no representation on behalf of the petitioners.

2. The prayer sought in the writ petition is 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, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondents in not taking any action for protection of the house plots belonging to the members of the petitioner association situated in Sy.Nos.55/Part, 59, 60, 61 part, 62 situated at China Golconda village, Shamshabad Mandal, Ranga Reddy District, inspite of repeated visits followed by written representation dt. 1-1-2013 as being illegal and arbitrary and consequently direct the respondents to take steps to give protection to the members of the petitioner and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.'

3. The learned Government Pleader brought to the notice of this Court that pursuant to the complaint lodged by the first petitioner association dated 25.10.2014, a case in Cr.No.305 of 2014 was registered against the persons who are alleged to have been interfering with the peaceful possession and enjoyment of the house plots belonging to the members of the first petitioner association. However, from the array of the cause title mentioned in the writ petition, the persons against whom the complaint was lodged, are not made as party respondents in the writ petition. The learned Government Pleader further brought to the notice of this Court that there are civil disputes pending between the petitioners and the persons against whom the complaint was lodged, were not impleaded as party respondents in the writ petition.

4. The grievance of the petitioners that pursuant to the representation given by the petitioners no action is taken, is redressed by way of registering Cr.No.305 of 2014. That apart, from the contents of the affidavit filed in support of the writ petition as well as the relief sought in the writ petition, the matter appears to be civil in nature between the petitioners and the persons against whom the complaint was lodged and that though they are proper and necessary parties to the writ petition, they were not impleaded as party respondents in the writ petition. Therefore, this Court is of the opinion that, on both counts, the writ petition is liable to be dismissed.

5. Accordingly, the writ petition is dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE P.KESHAVA RAO

Date:09.01.2020

PGS