

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 28181 of 2013

O R D E R:

This writ petition is filed for the following relief:

...to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 1st respondent in trespassing and erecting the board in the Petitioner's Schedule of Property publicizing that the land in Survey No. 494 is under dispute and anybody to purchase and to sell it amounts to crime, which is arbitrary, illegal and contrary to law and consequently punish the 1st and 2nd respondents for wrongful gain to help respondent Nos. 3 to 8 despite of injunction order in petitioner's favour ..."

At the outset, it may be noted that the present writ petition against respondent No.8 was dismissed on account of non-compliance of the order of this Court dated 21.06.2016. That apart, as on date, it is brought to the notice of this Court that I.A.No.450 of 2013 in O.S.No.145 of 2013 on the file of the Senior Civil Judge, Khammam, filed by the petitioner seeking temporary injunction against respondent Nos.3 to 8-defendants came to be dismissed on 27.11.2019. In the circumstances, with respect to *prima facie* case, balance of convenience and irreparable loss, it is not necessary for this Court to make any observation except to record that I.A.No.450 of 2013 stands dismissed.

Respondent No.1 filed a counter-affidavit stating that on the complaint of the petitioner, witnesses were examined and their statements were recorded.

Learned Government Pleader submits that as on date, investigation was completed and the case was referred as false.

In the light of the order passed in I.A.No.450 of 2013, no orders are required to be passed by this Court, as essentially the disputes between the petitioner and the unofficial respondents are civil in nature. Therefore, they are required to work out their remedies in the pending suit. However, it is made clear that the police shall not interfere with the possession of either of the parties over the subject property.

Subject to the above, the Writ Petition is closed.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dt:20.02.2020

kdl