

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

MONDAY, THE TWENTY SECOND DAY OF FEBRUARY
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION NO: 4109 OF 2021

Between:

C. Balraju, S/o. C. Aashanna, Aged 44 years, Occ. Business, R/o. Plot no.83 south part, Sy.No. 209 of Gayathri Nagar-II situated at Abdullapur Village and Grampanchayat, Ranga Reddy District.

...PETITIONER

AND

1. The State of Telangana, Rep by its Principal Secretary, Panchayat Raj Department, Secretariat, Hyderabad.
2. The Grampanchayat, Abdullapurmet, Ranga Reddy District.
3. The MPDO, Abdullapurmet Grampanchayat, Ranga Reddy District.
4. The Station House Officer, Abdullapurmet Police Station, Ranga Reddy District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in interfering with petitioners property admeasuring 200 Sq.yds, bearing plot no.83 south part, in Sy.No. 209 of Gayathri Nagar-II situated at Abdullapur Village and Grampanchayat, Abdullapurmet Revenue Mandal, Ranga Reddy District without issuing any show cause notice as being illegal, arbitrary and unconstitutional and consequently direct the respondents not to interfere with Petitioner peaceful possession and enjoyment of the above mentioned property.

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents not to interfere with the petitioners property admeasuring 200 Sq.yds, bearing plot no.83 south part, in Sy.No. 209 of Gayathri Nagar-II situated at Abdullapur Village and Grampanchayat, Abdullapurmet Revenue Mandal, Ranga Reddy District.

Counsel for the Petitioner : SRI N. KRISHNA SUMANTH

Counsel for the Respondent No.1: GP FOR PANCHAYAT RAJ AND RURAL DEVELOPMENT

**Counsel for the Respondent Nos.2 & 3: SRI G. NARENDER REDDY,
SC FOR GRAMPANCHAYAT**

Counsel for the Respondent No.4: GP FOR HOME

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.4109 of 2021

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader.

2. This writ petition is filed to declare the action of the respondents in interfering with the petitioner's property bearing plot No.83, South Part, in Survey No.209 of Gayathri Nagar-II, situated at Abdullapur Village and Grampanchayat, Abdullapurmet Revenue Mandal, Ranga Reddy District admeasuring 200 sq. yards, without issuing any show cause notice as being illegal, arbitrary and unconstitutional and consequently direct the respondents not to interfere with the peaceful possession and enjoyment of the subject property of the petitioner.

3. It is the case of the petitioner that the vendor of the petitioner is the owner of land to an extent of 400 sq. yards in Plot No.83 in the above mentioned Survey Number. Out of the 400 sq. yards, the petitioner purchased 200 sq. yards from his vendor 06.01.2021 and constructed a compound wall and two rooms and has been staying in the said property peacefully.

4. While so, on 15.02.2021 the respondent Nos.2 and 3 have demolished the compound wall and part of the property of the vendor of the petitioner without issuing any notice to him and that when the petitioner requested respondent Nos.2 to 4 as to why they are interfering with the property, they informed that Mr.Ramesh Reddy, who is retired employee, filed a complaint.

5. On perusal of the entire record and having regard to the facts and circumstances of the case, this Court is of the view that this writ petition is premature one and there is no cause of action is arises for the petitioner to file this petition. Though the petitioner is having efficacious remedy to file suit before the civil Court for appropriate relief, approached this Court under Article 226 of the Constitution of India. Therefore, the writ petition is liable to be dismissed.

6. Accordingly, the writ petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Petition, shall stand closed.

//TRUE COPY//

SD/-B.SATYAVATHI
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. One CC to Sri N. Krishna Sumanth Advocate [OPUC]
2. One CC to Sri G. Narender Reddy, SC for Grampanchayat, Advocate [OPUC]
3. Two CCs to GP for Home, High Court for the State of Telangana at Hyderabad. [OUT]
4. Two CCs to GP for Panchayat Raj and Rural Development, High Court for the State of Telangana at Hyderabad. [OUT]
5. Two CD Copies

sm

V. J. de

HIGH COURT

DATED:22/02/2021

ORDER

WP.No.4109 of 2021



DISMISSING THE WP
WITHOUT COSTS

⑧ VW
9/3/21