

THE HON'BLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA

AND

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.A.No.834 of 2019

ORDER: *(Per the Hon'ble the Chief Justice Satish Chandra Sharma)*

The present Writ Appeal is arising out of order dated 23.07.2019, passed by the learned Single Judge in W.P.No.15242 of 2019.

2. The facts of the case reveal that the writ petition was preferred by the present appellant stating that a complaint has been lodged by him to the authorities in respect of some construction raised by respondent No.6 alleging that the same is contrary to the building permission and that a fraudulent possession certificate has been obtained in the matter.

3. The order passed by the learned Single Judge reveals that the writ petitioner was claiming a portion of land in Survey Nos.214/A and 214/B, Husnabad Revenue Village and Mandal, Siddipet District, based on a document signed by the private respondents dated 06.11.2015 agreeing to sell the land to the writ petitioner. The document was an unregistered document meaning thereby, the writ petitioner was claiming title in respect of the same property and in those

circumstances, he made a complaint against the construction raised by respondent No.6.

4. Learned Single Judge has dismissed the writ petition stating that after submitting representation, without waiting for the outcome of the orders to be passed by the authorities, the writ petition was filed.

5. Learned Single Judge has also held that in case of title dispute, the writ petitioner has to work out his remedies.

6. In the considered opinion of this court, in case the writ petitioner/appellant herein claims title in respect of the land, his remedy lies elsewhere *i.e.*, he is certainly free to file a civil suit, and in case of unauthorized construction, if any, he has submitted representation and the authorities shall be free to proceed ahead in accordance with law.

7. Writ Appeal is, accordingly, dismissed.

Miscellaneous petitions, pending if any, stand dismissed.

SATISH CHANDRA SHARMA, CJ

ABHINAND KUMAR SHAVILI, J

Date: 01-04-2022
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