

THE HON'BLE SRI. JUSTICE GODA RAGHURAM

W.P.No. 9247 of 2006

28-04-2006

Between:-

Smt. T. Subbamma and another.

Petitioners

And

The Assistant Commissioner, Endowments Department,  
Buggamatta, Dakshinamanda Street, Tirupathi, Chittoor district and  
another.

Respondents





THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 9247 of 2006

Oral order:

The husbands of the 1<sup>st</sup> and 2<sup>nd</sup> petitioners in the year 1999, 2000 are claimed to have purchased 115-38 square yards and 23-00 square yards of land respectively, in survey No. 20/A of Avila village, Tirupathi rural mandal, Chittoor district under registered sale deeds and to have been put in peaceful possession since then. The petitioners allege that the 2<sup>nd</sup> respondent, without any authority of law or a valid title, is harassing the petitioners claiming that the property in question belongs to Hatti Ramji Mutt and is seeking to evict them without disclosing any evidence in support of such claim. It also appears, as is alleged, that the 2<sup>nd</sup> respondent is threatening that they will conduct auction on 15-04-2006, the date has since been postponed.

In substance, the petitioners seek a declaration that the respondents should not evict them except in accordance with the due process of law.

This writ petition cannot be a forum for declaration of title in favour of the petitioners and in respect of the other relief viz., to resist the illegal

actions of the respondents to dispossess the petitioners from the property, even if true, the petitioners have an effective alternative remedy by way of seeking injunctive relief before a competent court of civil jurisdiction. No case is made out for interference under Article 226 of the Constitution of India. Preserving the liberty to the petitioner to pursue the appropriate remedy before the civil court of competent jurisdiction, the writ petition is dismissed. No costs.

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GODA RAGHURAM, J

Dated:28-04-2006

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