

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA
REDDY**

WRIT PETITION No.41959 of 2015

–
28.12.2015

Between:

Usthelamuri Ramulu and another

.. Petitioners

and

The State of Andhra Pradesh,
represented by its Principal Secretary,
Panchayat Raj Department, and others

.. Respondents

Counsel for the petitioners: Mr.T.Rajeswara Rao, for Mr.Gada
Venkateswarlu

Counsel for respondent Nos.1 and 2: Assistant Government Pleader
for Panchayat Raj (AP)

Counsel for respondent No.4: Assistant Government Pleader for Home (AP)

Counsel for respondent No.3: --

Counsel for respondent Nos.5 and 6: --

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The Court made the following:

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ORDER:

This writ petition is filed for a *mandamus* to declare the inaction of respondent Nos.2 to 4 in taking action against respondent Nos.5 and 6, who are depriving the petitioners of their easementary rights over A, B, C, D cart track from Vykuntapuram road to X, Y road in the plan sketch in survey Nos.595/4 and 609/4 situated at Chenchreddypalem, Village, Hamlet of Kuchipudi Village, Marripudi Mandal, Prakasam District, as illegal and arbitrary.

After arguing the case, Mr.T.Rajeswara Rao, learned counsel representing Mr.Gada Venkateswarlu, learned counsel for the petitioners, upon realizing that unless the petitioners get their easementary rights declared by a competent Court of law, the official respondents cannot come to their rescue, requested for permission of this Court to withdraw the writ petition with liberty to the petitioners to approach the civil Court of competent jurisdiction, for getting their easementary rights declared.

The Writ Petition is, accordingly, dismissed with liberty to the petitioners in terms of the prayer made.

As a sequel to dismissal of the Writ Petition, W.P.M.P.No.54123 of 2015 filed by the petitioners for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

28th December, 2015

GHN

