

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Writ Petition No.19832 of 2015

Dated 06.07.2015

Between:

Muddada Thatanna and another

... Petitioners

and

1.The State of Andhra Pradesh,
rep. by its Prl.Secretary,
Hyderabad and 3 others.

...Respondents

Counsel for the petitioners: Mr.Aravala Rama Rao

Counsel for respondent Nos.1 & 2: GP for Revenue (AP)

Counsel for respondent Nos.3 & 4: Mr.Ravi Chimalapati, SC for Gram Panchayat

The Court made the following:

Order:

This Writ Petition is filed for a Mandamus to declare the action of respondent Nos.2 to 4 in trying to lay a road in the middle of the cattle shed belonging to the petitioners, as illegal and arbitrary.

I have heard the learned Counsel for both the parties and perused the record.

Except filing a photograph, which does not, in any manner, support their claim, no evidence is placed by the petitioners to show that respondent Nos.2 and 3 have been trying to lay a road in the middle of their cattle shed. If there were any such attempts, the petitioners should have caused a legal notice on the said respondents requesting them to refrain from laying such road. Such a notice would have either evoked response from respondent Nos.2 to 4 or in its absence, it would have made a strong ground for this Court to entertain this Writ Petition. The absence of such notice disentitles the petitioners to maintain the present Writ Petition.

Accordingly, the Writ Petition is dismissed. However, liberty is given to the petitioners to cause a legal notice on respondent Nos.2 to 4 before availing a fresh remedy.

As a sequel to dismissal of the Writ Petition, WPMP.No.25594 of 2015, filed by the petitioners for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 6th July, 2015
LUR