

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.37652 OF 2015

ORDER:

Heard learned counsel for the petitioner and learned Government Pleaders for Revenue and Panchayar Raj.

The petitioner claims to have purchased a Well belonging to the Gram Panchayat and the same was confirmed in his favour as per the proceedings of the District Collector, Medak District, Sanga Reddy, the 2nd respondent, vide proceedings No.1185/72/A4/Pts, dated 11.05.1973. While the petitioner states to be in enjoyment of the said Well, he made an application to the Panchayat Secretary seeking permission for construction of a compound wall around the Well. The District Panchayat Officer, Medak, vide proceedings in Dis.No.2033/2015/A6-Pts, dated 13.07.2015 (Ex.P1), directed the Extension Officer (PR & RD), Hathnoora Mandal, the 3rd respondent, to take necessary action.

But, in pursuance thereof, the 3rd respondent gave a notice, dated 25.07.2015 (Ex.P22), to the petitioner for conducting enquiry. While the said enquiry is under progress, the present Writ Petition is filed alleging that the 3rd respondent is trying to dispossess the petitioner and seeking protection to the extent of the Well of the petitioner.

On the face of the record, the only enquiry stated to be pending with the 3rd respondent, as directed by the District Panchayat Officer, Medak at Sanga Reddy, is as to whether the petitioner's application for grant of construction of a compound wall is to be considered or not and since the said enquiry is pending, it is difficult to accept the petitioner's contention that there is any attempt to dispossess him. As is referred to above, the petitioner appears to be the owner of the Well by proceedings, dated 11.07.2015, issued by the 2nd respondent.

Hence, the Writ Petition is disposed of leaving it open to the 3rd respondent to examine the petitioner's application, referred to above, and pass appropriate orders expeditiously. There shall be no order as to costs.

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

VILAS V.AFZULPURKAR, J

19.11.2015

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