

HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.14305 of 2015

Date: 30.06.2015

Between:

A.Earshetty, S/o. A.Sangappa, Aged 55 years,
Occu:Agriculture, R/o. Devada (Big) Village,
Bichkunda Mandal, Nizamabad District

.. Petitioner

AND

Gram Panchayat Devada (Big), rep.by
Sarpanch, Devada Village, Bichukunda Mandal,
Nizamabad district and another.

.. Respondents

The Court made the following:

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ORDER:

According to the petitioner he is the owner and possessor of the land to an extent of 650 square feet in Devada (Big) village. He was using this land for the purpose of tying of cattle in a small hut and in an open place. Subsequently, tin shed was constructed and continued to be in possession. While so, on 23.03.2015 notice was issued to the petitioner alleging that he was in unauthorized occupation of Gram Panchayat building constructed with Zilla Parishad funds. On a reply furnished by the petitioner, further notice was issued on 22.04.2015 directing him to produce the evidence in support of his claim that he is the owner. Petitioner filed further explanation on 25.04.2015. Even before further orders can be passed by the Gram Panchayat, this writ petition is instituted seeking declaration that the action of the respondent- Gram Panchayat in claiming their right over the tin shed and the plot as illegal.

2. When the matter is taken up for consideration on 25.06.2015, learned standing counsel produced the orders passed by the Gram Panchayat on 25.05.2015 rejecting the claim of the petitioner directing the petitioner to vacate the premises. A photograph now circulated would disclose that the notices were also pasted on the door of the concerned property. Since an order was already passed by the Gram Panchayat, petitioner has to work out his remedies as available in law. The writ petition is accordingly dismissed leaving it open to the petitioner to work out his remedies.

3. Miscellaneous petitions if any pending in this writ petition shall stand closed. There shall be no order as to costs.

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kkm

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