

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

Writ Petition No.29625 of 2015

Dated 06.11.2015

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Between:

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V.Mounica

... Petitioner

and

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The State of Andhra Pradesh

rep. by its Prl.Secretary

Panchayat Raj

and 3 others.

...Respondents

Counsel for the petitioner: Mr.B.Chandrasekhar

Counsel for respondent Nos.1 & 2: AGP for Panchayat Raj

Counsel for respondent No.3: Mr.Ravi Cheemalapati

The Court made the following:

Order :

The grievance of the petitioner is that having issued notice, dated 20-06-2015, to respondent No.4 for demolition of the alleged unauthorized construction made by him, respondent No.3 has stopped further action.

At the hearing, Mr.Ravi Cheemalapatai, learned Standing Counsel for the Panchayat Raj Institutions, appearing for respondent No.3, submitted that after notice, dated 20-06-2015, was issued on behalf of respondent No.3, a new Panchayat Secretary has taken charge and that he has realized that respondent No.4 has not constructed any building by encroaching the public road or the Gram Panchayat site. He has, however, conceded that no order has been passed by the Panchayat Secretary in this regard.

In my opinion, when a notice was issued by a Public Authority, it is its bounden duty to take it to its logical end. Unless an appropriate order is passed in pursuance of the said notice, respondent No.3 cannot allow the issue to lie to rest. Accordingly, respondent No.3 is directed to issue notices to the petitioner as well as respondent No.4, hold an enquiry into the dispute raised by the petitioner, based on which demolition notice, dated 20-06-2015, was issued to respondent No.4, pass an order and communicate the same to both parties within one month from the date of receipt of this order.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal of the Writ Petition, WPMP.No.38392

of 2015, filed by the petitioner for interim relief is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 12th November, 2015

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