

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

Writ Petition No.36213 of 2015

Dated 06.11.2015

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Between:

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Anthammolla Venkat Reddy and another

... Petitioners

and

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The State of Telangana

rep. by its Prl.Secretary

(Panchayat Raj Dept.,)

Hyderabad and 4 others.

...Respondents

Counsel for the petitioner: Mr.Narayan Laxman Rao

Counsel for respondents 1 & 2: AGP for Panchayat Raj (TS)

Counsel for respondents 3 & 4: None appeared

The Court made the following:

Order :

This is a vexatious litigation indulged in by two litigants of Domadu Village, Jinnaram Mandal, Medak District, obviously, with a view to prevent respondent No.5 from getting the lay out in respect of his private land sanctioned. Though respondent No.4 and Domadugu Gram Panchayat have held that the respondent No.5 has occupied Ac.0-10 cents of the Grama Kantam land being used for play ground and other cultural events, respondent No.2 has categorically held that no material was placed before him to prove the same. Interestingly, though the petitioners were stated to have filed representations, the proceedings of respondent Nos.2 to 4 do not reflect the former's participation before any of these authorities. On the contrary, one Lalitha, W/o.A.Narayana, alone is shown to have contested the application made by respondent No.5 for sanction of lay out. The said Lalitha has not questioned the decision of respondent No.2 in directing fresh consideration of the application of respondent No.5 for sanction of lay out.

At the hearing, this Court has called upon the learned Counsel for the petitioners to show the *prima facie* material to the effect that respondent No.5 is in occupation of the Grama Kantam land. The learned Counsel has replied that there is no independent evidence other than the findings of respondent No.4 and the Grama Panchayat. In my opinion, the petitioners, who were third parties to the proceedings, cannot be permitted to question the order of respondent No.2, more so, in the absence of any independent evidence adduced by them in support of their plea that respondent No.5 is in occupation of the Grama Kantam land.

For the above-mentioned reasons, the Writ Petition is wholly without any merit and the same is, accordingly, dismissed.

As a sequel to dismissal of the Writ Petition, WPMP.No.46589 of 2015, filed by the petitioners for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 6th November, 2015

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