

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION NO.145 OF 2015

DATED:19-11-2015

Between:

Mutyala Jayant Babu ... Petitioner

And

The Gram Panchayat

Guraja Village, Mudinepalli Mandal

Krishna District,

Rep. by its Panchayat Secretary ... Respondent

COUNSEL FOR THE PETITIONER: None appeared

COUNSEL FOR THE RESPONDENT: Mr. Ravi Cheemalapati

THE COURT MADE THE FOLLOWING:

ORDER:

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Feeling aggrieved by notice dt.27.12.2014 issued by the respondent directing the petitioner to remove the cattle shed in Guraja Village, Mudinepalli Mandal, the petitioner filed this writ petition.

At the hearing, there is no representation for the petitioner.

The petitioner pleaded that he has occupied a piece of land and erected a cattle shed about thirty years back and he has been in occupation of the same since then

and that in reply to the eviction notice issued by the respondent on 27.12.2014 the petitioner has made a representation on 02.01.2015. Apprehending dispossession without considering the said representation, the petitioner filed this writ petition.

This Court by interim order dt.7.1.2015 directed the respondent to consider the petitioner's representation dt.2.1.2015 and pass an appropriate order thereon.

In the counter affidavit, the Panchayat Secretary of the respondent has admitted that the petitioner has submitted his explanation on 2.1.2015. He is, however, silent whether he has passed any order as directed by this Court by the above mentioned interim order. He has merely averred that after receipt of the explanation, he has informed the petitioner that the respondent has no power to provide alternative land and that it has passed a resolution to that effect on 9.2.2015.

From the averments of the counter affidavit, it is evident that the respondent has failed to pass an appropriate order as directed by this Court. Therefore, the respondent is directed to pass an appropriate order and communicate the same to the petitioner before taking further action for eviction of the petitioner.

Subject to the above directions, the writ petition is disposed of.

As a sequel to disposal of the writ petition, W.P.M.P. No.158 of 2015 and W.V.M.P. No.1468 of 2015 shall stand disposed of as infructuous.

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C.V. NAGARJUNA REDDY, J

19-11-2015

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