

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.12725 of 2015

Date: 27-04-2015

Between:

Kura Kistappa

.. Petitioner

AND

The Gram Panchayat, Kosgi, represented by its

Secretary, Kosgi village and Town, Mahabubnagar

District and 3 others

.. Respondents

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.12725 of 2015

ORDER:

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This writ petition is filed for a mandamus declaring the proceedings issued by the Gram Panchayat, Kosgi, vide No.A/111/2015, dated 23-02-2015 as illegal and arbitrary and violative of principles of natural justice and for a consequential direction to the respondents not to demolish and dispossess the petitioner from the land in Survey No.1813 situated at Kosgi village, Mahabubnagar Town without following due process of law.

2. The case of the petitioner is that he is owner and possessor of the commercial property abetting to main road leading from Mahabubnagar to

Chincholi Road, situated at Kosgi town bearing Plot Nos.7 to 11 admeasuring 703.74 square yards having purchased the same from its original owner through registered sale deed bearing Doct.No.1374/2011, dated 25-06-2011. Among other things, the petitioner further stated as the respondent authorities proposed for widening the road leading from Mahabubnagar to Kodangal, the 1st respondent-Gram Panchayat, Kosgi village has resolved to remove the shops by either side of the road as the same are causing obstruction for widening the road, consequent upon which, the 1st respondent-Gram Panchayat issued the impugned notice vide Notice No.A/111/2015, dated 23-02-2015 asking the petitioner to remove his shop. Pursuant to the said notice, the petitioner made an application to the respondent authorities, but the respondent authorities neither considered his application nor taken any action. Aggrieved by the same, the present writ petition is filed.

3. Heard the learned counsel for the petitioner, Sri P. Raghavender Reddy, learned standing counsel for the 1st respondent Gram Panchayat and the learned Government Pleader for Roads and Buildings.

4. Learned Government Pleader stated on instructions that on account of proposal of road widening by the respondent authorities, the property of the petitioner is not at all being affected, since the said road widening programme has already been completed.

5. Recording the statement of the learned Government Pleader that the property of the petitioner is not being affected for road widening programme, the writ petition is disposed of. No order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A. RAJASHEKER REDDY, J

Date: 27-04-2015

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