

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.5122 OF 2015

ORDER

-

This writ petition is filed by the petitioners seeking a *Writ of Mandamus* declaring the action of the 4th respondent-District Panchayat Officer and respondents 5 to 8 in seeking to demolish the petitioners' houses in Ward No.2 situated at Sy.No.14 and 16 at Midjil Village and Mandal, Mahbubnagar District, as illegal and arbitrary and for a consequential direction to the respondents not to demolish the houses of the petitioners without following due process of law.

The case of the petitioners is that they have constructed their houses after obtaining permission from Gram Panchayat and by leaving set backs. They further state that they have not encroached upon the public road. While so, the Gram Panchayat has issued a notice dated 10.02.2015 stating that whoever constructed their houses encroaching the public road and without leaving set backs as stated in the construction permission, such unauthorised constructions would be demolished. In pursuance to the said notice, petitioners submitted their representation on 28.02.2015 stating that they have constructed their houses as per the permission given by the Gram Panchayat. Even then, the respondents are trying to demolish their constructions. Hence, the present writ petition.

Heard the learned counsel for the petitioners and Sri P. Raghavender Reddy, learned Standing counsel for Gram Panchayat.

Learned Government Pleader for Panchayat Raj submits that they are effecting the demolition of the houses where ever the public road is being encroached by the petitioners by way of laying ramps and steps.

Since the petitioners have already submitted representation to the respondents, the respondent authorities may consider the same and pass appropriate orders in accordance with law and thereafter take action accordingly. Till such time, *status quo* obtaining as on today shall be maintained by both the parties. However, petitioners shall make a representation before the Gram Panchayat within one week from today, if not already filed. If the petitioners fail to make representation within the above specified time, it is open for the respondents to take appropriate action.

With the above direction, the Writ Petition is disposed of. There shall be no order as to costs. As a sequel, miscellaneous petitions pending if any shall stand closed.

A.RAJASHEKER REDDY,J

Date: 02.03.2015
dv