

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.23983 OF 2016

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ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus declaring the action of respondent Nos.3 and 4 in threatening to remove the bed (Arugu) which is used to sit in front of petitioner's house bearing No.3-96 of Lakshmipuram Village, Kallur Mandal, Ulindakonda Post, Kurnool District without issuing notice and following of due process of law as illegal, arbitrary, and unconstitutional and consequently to direct the respondents to stop the action in removing the bed (Arugu) in front of the house mentioned above.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

The case of the petitioner is that his father purchased an open land admeasuring 160 square feet from one K.Ramanjaneyulu under a registered sale deed dated 09.11.2006 vide document No.14619 of 2006, dated 09.11.2006. Thereafter, his father constructed a house along with a bed (Arugu). The contention of the petitioner is that the respondents herein made hectic attempts to remove the Arugu in front of the house for the purpose of laying of pipe line.

Learned counsel for respondent Nos.3 and 4 submitted that respondent Nos.3 and 4 will not remove the Arugu in front of the house of the petitioner without following the procedure as contemplated under the Gram Panchayat Act.

In view of the submissions made by learned counsel for both parties, respondent Nos.3 and 4 are hereby directed not to remove the Arugu in front of the petitioner's house bearing No.3-96 of

Lakshmipuram Village, Kallur Mandal, Ulindakonda Post, Kurnool
District without following due process of law.

Accordingly, the Writ Petition is disposed of. No costs.

Consequently, Miscellaneous Petitions, if any, pending in this
Writ Petition shall stand closed.

T.SUNIL CHOWDARY, J

Date: 25.07.2016
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