

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.16167 of 2012

ORDER:

The writ petition is filed under Article 226 of the Constitution of India for a direction to the respondents 1 to 5 to consider the representation of the petitioners and to take appropriate action against the alleged illegal encroachment of play ground of the Upper Primary School of Korvipadi village, Manopad Mandal, Mahabubnagar District by the 6th respondent.

A counter-affidavit is filed by respondent No.1 – Gram Panchayat, Korvipadu. Reiterating the averments in the counter-affidavit it is submitted by Sri G. Narendar Reddy, learned Standing Counsel that pursuant to the representation of the petitioners an enquiry was conducted by Panchayat Secretary and also the Special Officer/Tahsildar, Manopad Mandal and found that the construction being made by the un-official respondent is not on the play ground and it is 500 Sq. yards away from Sy.No.230 in which school building is constructed. It is further stated by learned Standing Counsel that the un-official respondent is undertaking construction after obtaining permission from the Gram Panchayat for the land allotted to him in the year 2007 under Indiramma Scheme. It is further stated that father of the 6th

petitioner, one Sri N. Jaganmohan Reddy instituted O.S.No.104 of 2011 against the un-official respondent and the Gram Panchayat on the file of the Court of learned Junior Civil Judge, Allampur for permanent injunction and he failed to get any injunction from the said Court and in view of the same, after obtaining the signatures of some villagers, made a representation to the District Panchayat Officer and in turn the District Panchayat Officer directed to conduct an enquiry on 02-05-2012 and accordingly a detailed enquiry was conducted.

No reply affidavit is filed. In view of the above reasons, this Court does not find any merit in the writ petition.

Accordingly, the writ petition is dismissed. There shall be no order as to costs.

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

A.V. SESA SAI, J

October 25, 2016

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