

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

WRIT PETITION NO.3437 OF 2015

DATED:28-1-2016

Between:

Mr. K. Manga Rao Dora ... Petitioner

And

The State of Andhra Pradesh
Rep. by its Principal Secretary
Panchayat Raj Department
Secretariat at Hyderabad
and others

... Respondents

COUNSEL FOR THE PETITIONER: Mr. K. Venkatesh

COUNSEL FOR RESPONDENT NOs.1 to 3: A.G.P. for Panchayat Raj
(AP)

COUNSEL FOR RESPONDENT NO.4 : Mr. Ravi Cheemalapati,
Standing

Counsel for Panchayat Raj
Institutions (AP)

THE COURT MADE THE FOLLOWING:
ORDER:

-

The grievance of the petitioner is that his representation for eviction of the encroachers from the panchayat land is not being considered by respondent No.4.

On behalf of respondent No.4, its Secretary has filed a counter affidavit wherein he has *inter alia* averred that in pursuance of the petitioner's representation, notices were issued on 01.12.2015 to the 'so called' encroachers and that therefore the petitioner can have no further grievance.

In my opinion, the approach of respondent No.4 lacks any semblance of responsibility. Unless respondent No.4 was *prima facie* convinced that the panchayat land was encroached and business is being run by the encroachers, it would not have issued notices on 01.12.2015. The counter affidavit is silent as to what further action was taken after the eviction notices were issued. Respondent No.4 cannot wash off its hands by merely issuing eviction notices and instead it should take such notices to their logical end. Therefore, this Court is thoroughly dissatisfied with the approach of respondent No.4. Respondent No.4 is directed to continue further steps in pursuance of the eviction notices issued on 01.12.2015 and evict the encroachers, if it is found that they have encroached the panchayat land. It shall complete the process within two months from the date of receipt of this order.

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.4568 and 49037 of 2015 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

28-1-2016

bnr