

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.15061 OF 2016

ORDER:

Pursuant to the order dated 07.02.2016 in W.P.No.5025 of 2016, the petitioner submitted explanation to the notice dated 25.01.2016 issued by the 4th respondent denying the allegation that the petitioner encroached the public road. This Court while disposing of W.P.No.5025 of 2016 gave liberty to the petitioner to file explanation to the said notice and the 4th respondent shall consider the same and pass appropriate orders in terms of Section 98 of the A.P.Panchayat Raj Act, 1994 (for short 'the Act').

The order dated 18.04.2016 passed by the 4th and 5th respondents is a reasoned order, wherein the objections raised by the petitioner that he has not encroached the road has been specifically considered. In that view of the matter, the order having been passed under Section 98(1) of the Act, this Court is not inclined to interfere with the same.

Learned counsel for the respondents submitted that there is a revision lies to the Government under Section 264 of the Act.

Learned counsel for the petitioner submitted that the petitioner may be given liberty to file revision in as much as the petitioner wants to avail the alternative remedy as available to him,

In that view of the matter, the writ petition is disposed of giving liberty to the petitioner to approach the competent authority under Section 264 of the Act within a period of ten (10) days from today and he may seek necessary interim stay. Till such time no coercive steps shall be taken against the petitioner. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in the writ petition shall stand closed.

CHALLA KODANDA RAM, J.

Date:28.04.2016.

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