

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

WRIT PETITION No.29801 of 2012

ORDER:

This writ petition, filed under Article 226 of the Constitution of India, prays for the following relief:

“.....to issue an appropriate writ or order or direction more particularly one in the nature of writ of mandamus, declaring the inaction of respondent Nos.1 to 5 in disposing petitioner's representations, dated 05.09.2012 and 11.09.2012, not preventing the unofficial represent No.6 from encroaching and making unauthorized construction without any valid permission and any authority in Gram Panchayat land (i.e. Gramakantam), situated at Dandumilaram Village, Ibrahimpatnam, Ranga Reddy District, is illegal, arbitrary and contrary to law laid down by the law. Consequently, direct respondent Nos.1 to 5 to consider his representations, dated 05.09.2012 and 11.09.2012 and restrain the unofficial respondent No.6 in making further construction in the Gramkantam land in the interest of justice and equity. Lest, the petitioner along with other residents would be put to hardship or pass any such other order or orders, as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

A counter-affidavit, deposed by the Panchayat Secretary, Dandumilaram Gram Panchayat, Ibrahimpatnam, respondent No.5 herein, is filed stating that respondent No.6 submitted an application to the Gram Panchayat seeking permission for construction of the house in the land purchased by him and accordingly, the Gram Panchayat granted permission on

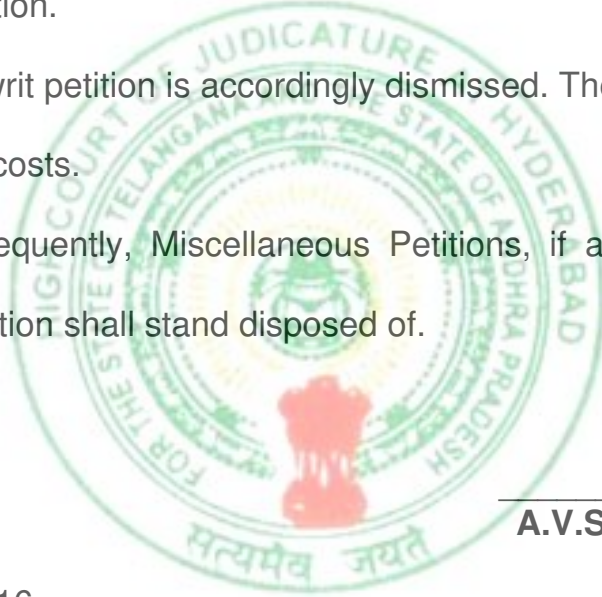
03.02.2012 and respondent No.6 constructed the house strictly in accordance with the permission granted by the Gram Panchayat. It is averred in the counter-affidavit that the petitioner is the owner of the house bearing No.4-3. The counter-affidavit denies the allegation that respondent No.6 is making construction on drainage pipeline.

No reply affidavit is filed disputing the averments made in the counter-affidavit.

In view of the above, this Court does not find any merit in the writ petition.

The writ petition is accordingly dismissed. There shall be no order as to costs.

Consequently, Miscellaneous Petitions, if any pending in this writ petition shall stand disposed of.



A.V.SESHA SAI, J

Dt:31.10.2016.
kdl