

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.15694 OF 2009

ORDER:

The relief sought for in this Writ Petition is to declare the action of the respondents in taking steps to assign the road margin in between the cement road passing from Waripalli village towards Dharmaraopet village and the petitioners land in Sy. No.282/2 of Saripalli village, Koyyalagudem Mandal, West Godavari District without considering the objection dated 28.07.2009 as arbitrary and illegal.

In the counter-affidavit filed by the 3rd respondent, it is stated that it is the duty of the respondents to protect the road margin and drainage channel and to safeguard the public roads and to prevent encroachment by constructing houses; and there is no proposal or activity by respondents 2 and 4 to allot the said margin of the drain in Sy. No.290 adjacent to the land of the petitioners situated in Sy. No.282/2 of Saripalli village.

From the aforesaid averments in the counter-affidavit, it is evident that the petitioner's apprehension of the road margin being allotted as house sites is wholly misconceived. The Writ Petition fails and is, accordingly, dismissed. The miscellaneous petitions pending, if any, shall stand closed. No costs.

RAMESH RANGANATHAN, ACJ

Date: 23.12.2016

MRKR