

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.7186 OF 2016

ORDER:

The writ petition is filed challenging the action of the respondents 3 and 4 in not taking the action of removing the encroachment of the public Rastha in 4th ward of M. Agraharam Village, Maddikera Mandal, Kurnool District, made by the 5th respondent.

The grievance of the petitioners is that the 5th respondent has encroached the Rastha of the petitioners and though the petitioners made a complaint on 26.10.2015 to the 4th respondent-Panchayat Secretary to remove the same by marking copies to the respondents 2 and 3, the 2nd respondent-District Collector, directed the respondents 3 and 4 to take action against the 5th respondent, but so far no action has been taken.

Sri G. Seshadri, learned counsel appearing on behalf of the 4th respondent-Panchayat Secretary submits that the writ petition may be disposed of with a direction to the respondents 2 to 4 to take appropriate action against the 5th respondent, by following due process of law.

In the facts and circumstances of the case and considering the grievance of the petitioners, the writ petition is disposed of directing the respondents 2 to 4 to take appropriate action against the 5th respondent, by following due process of law, as prescribed under Section 98 of the Panchayat Raj Act forthwith. Further, if there is any necessity for following due process of law, the respondents 2 to 4 may also take the aid of the Law Enforcing Authorities by making proper requisition. No order as to costs.

In view of the disposal of the main writ petition, Miscellaneous Petitions, if any pending in this writ petition shall also stand closed.

CHALLA KODANDA RAM,J

Date:08.03.2016.

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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