

HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.24081 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a writ of Mandamus declaring the inaction of the respondents particularly respondents Nos.2 and 3 in taking action against the respondents Nos.4 to 9, who are making illegal attempt to occupy/block the public road (Grama Kantam road) admeasuring 60'X20', which is existing in between their houses since several decades and causing obstructions to the petitioners easementary rights from using the public road for approaching to their houses, situated at Surepally Village, Bhongir Mandal, Nalgonda District, Telangana State, as per the panchanama report dated 11.07.2016 submitted by the respondent No.3, as illegal, arbitrary and violation of Articles 14 and 21 of Constitution of India and consequently direct the respondents particularly respondents Nos.2 and 3 to protect the public road (Grama Kantam road), admeasuring 60'X 20' existing in between the houses of respondents no.4 to 9 since several decades, for the usage of petitioners.

2. Heard the learned counsel for the petitioners, learned Government Pleader for Panchayat Raj, learned Government Pleader for Revenue and learned standing counsel for the third respondent Gram Panchayat.

3. The contention of the petitioners is that respondent Nos.4 to 9 encroached Panchayat road. A perusal of the record reveals that the Panchayat Secretary of the third respondent Gram Panchayat submitted a report dated 11.7.2016 in this issue, but the third respondent has not taken any action on the report of the Panchayat Secretary. The learned counsel for the petitioners submitted that the third respondent Grama Panchayat may be directed to take action in accordance with law in pursuance of the report dated 11.7.2016

submitted by the Panchayat Secretary.

4. Taking into consideration the facts and circumstances of the case, the third respondent Gram Panchayat is hereby directed to take appropriate action in accordance with law on the report dated 11.7.2016 submitted by the Panchayat Secretary as expeditiously as possible.

5. With the above direction, the writ petition is disposed of. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

T.SUNIL CHOWDARY, J

July 25, 2016.

NOTE:

Dispatch order copy by

28.7.2016.

(By order)

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