

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.15185 of 2016

ORDER:

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It is the grievance of the petitioner that the notice dated 23.04.2016 is in general terms and there is no specific allegation against the petitioner in what respect the petitioner has violated the provisions of the Gram Panchayat Act.

Sri G. Narender Reddy, learned counsel appearing for the 3rd respondent submits that after preliminary enquiry by respondent Nos.2 and 3, an appropriate notice setting out the nature of violations would be issued to the petitioner.

Having regard to the above and considering the submissions of learned counsel for the petitioner as well as learned counsel for the 3rd respondent, in the event of there being any violations in making construction or making the alterations, the Gram Panchayat is entitled to issue a notice in terms of Section 98 of the Gram Panchayat Act.

In the impugned notice what all has been stated is that if any constructions are made like new houses, compound walls, windows, doors etc within the gram panchayat, they are required to be obtained prior permission. Further, no construction shall be made obstructing the road.

A perusal of the notice dated 23.04.2016 reveal that there are no specific allegation against the petitioner that in what manner and to what extent the petitioner has violated the provisions of the Gram Panchayat Act.

In that view of the matter, the notice dated 23.04.2016 served on the petitioner is set aside, however, liberty is given to the respondents, in the event of any violations, to issue notice and to take appropriate action in accordance with law.

Accordingly, this writ petition is disposed of with the above directions. No costs.

As a sequel, miscellaneous petitions pending if any, in this Writ Petition shall stand closed.

JUSTICE CHALLA KODANDA RAM

Date: 28-04-2016
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