

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.42835 of 2016

ORDER:

Heard Mr. Sai Gangadhar Chamorthy for petitioner and Mr. G. Narender Reddy, standing counsel representing respondents 3 and 4.

2. Learned standing counsel stoutly opposes the maintainability of the writ petition and contends that remedy of appeal is available before the Gram Panchayat and the petitioner can certainly avail the same.

3. This Court is also of the view that straightaway filing of writ petition against the proceeding impugned in the writ petition without availing the remedy of appeal could have been avoided.

4. Petitioner is given liberty to file appeal within fifteen (15) days from today before the Gram Panchayat and the Gram Panchayat is directed to consider the appeal on merits and dispose of the appeal, as expeditiously as possible, preferably within three (3) months from the date of filing of appeal. Status quo as regards possession and physical features of subject matter of writ petition shall be maintained for a period of three (3) months from today.

The writ petition is disposed of. As a sequel, the miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

S. V. BHATT, J

December 8, 2016
DSK