

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.28474 OF 2017

ORDER

This writ petition is filed challenging the construction of New Gram Panchayat Office building by blocking the ingress and egress to the agricultural fields of the petitioners in Sy.Nos.391, 392, 392/1 & 3 and 399/2 situated at Mallavaram Pedalanka Village, Narsapur Mandal, West Godavari District.

Learned counsel appearing for the petitioners submits that the petitioners submitted representations on 9.8.2017 & 18.08.2017, but without considering the same, the respondents are going ahead with the construction of the Gram Panchayat Building.

A counter-affidavit has been filed on behalf of the 6th respondent stating that the land in an extent of Ac.2.54 cents situated in Sy.No.373/2 was under encroachment. The said encroachments were removed and dwakra building, community hall and also a Primary Agricultural Co-operative Society Building were constructed. After constructing the said buildings, there are two open sites available, one is an extent of 23.6 meters x 18 meters and another is 18 meters x 18 meters. Apart from the said open site, huge extent of open land is

available to the eastern side of the said Primary Agricultural Cooperative Society Building. Now, the Gram Panchayat is proposing to construct a new Gram Panchayat Office in an extent of 18 meters x 18 meters of piece of land. To the western side of the proposed building, 20 feet width passage is made available for ingress and egress. A letter was addressed to the petitioners on 30.08.2017 duly informing them about the availability of 20 feet width passage, after constructing the Gram Panchayat building.

In view of availability of 20 feet width passage, there cannot be any grievance to the petitioners for construction of Gram Panchayat building.

Learned counsel appearing for the petitioners submits that though in the counter it is stated that 20 feet width passage is available, it is not available on ground and only 9 feet width is available as the proposed building is occupying 11 feet cart track for the passage of the villagers.

Since in the counter it is stated that 20 feet width passage is available, the respondents are directed to ensure the availability of 20 feet width passage while constructing new Gram Panchayat Office building.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

10th October, 2017
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