

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.29560 of 2017

ORDER:

Heard learned counsel for petitioner and the learned counsel for third respondent.

It is the case of the petitioner that she is the absolute owner and possessor of the house bearing No.2-337/1 situated at Sultanabad Village and Mandal, Peddapalli District, for the last thirteen years. She purchased the said property of an extent of Acs.28.11 square yards in Survey No.42 under a registered sale deed dated 07.05.2004. After purchasing the property, she applied for permission for construction of a house on 16.08.2004 and the Panchayat Secretary granted permission on 31.08.2004. After construction of the house, the Gram Panchayat allotted house number. While so, the petitioner states that the third respondent along with the staff came to the house on 30.08.2017 and the second respondent directed her to demolish the house, which is constructed contrary to the approved plan. In those circumstances, she filed the present writ petition.

Learned counsel for the third respondent, on oral instructions, submits that a complaint was lodged against the petitioner alleging that the petitioner encroached a part of the Panchayat/Government land and in those circumstances only, the third respondent wanted to make enquiries. He further submits that no action would be taken against the third respondent without following due process of law.

In view of the same, the writ petition is disposed of directing the third respondent to follow due process of law if they want to take any action against the construction made by the petitioner. Consequently, miscellaneous petitions pending, if any, shall stand closed.

A. RAMALINGESWARA RAO, J

08.09.2017
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