

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION Nos.26107, 26115 and 26143 of 2017

COMMON ORDER:

It is the case of the petitioners that the petitioner in W.P.No.26107 of 2017 purchased the house site of an extent of 200 square yards in Survey No.685/5 from Smt.Durdhana Begum, the petitioner in W.P.No.26115 of 2017 purchased the house site of an extent of 200 square yards in Survey No.685/5 from Sri Lokapally Chinnaiah and the petitioner in W.P.No.26143 of 2017 purchased the house site of an extent of 200 square yards in Survey Nos.685/1 and 685/2 from Smt.Farzana Begum for a valid sale consideration under registered sale deeds. After obtaining permission from the Gram Panchayat, construction was completed. The Gram Panchayat allotted house numbers and collected the house tax. When the petitioners are in possession of the said houses, notices dated 21.04.2017 were served on the petitioners in the third week of May, 2017, asking them to produce all the relevant records including permission granted by the Gram Panchayat. Though the petitioners submitted the relevant records, the Gram Panchayat is going ahead with the action to demolish the said houses on the ground that the houses were constructed violating the *status quo* orders of the Courts. In those circumstances, the present Writ Petitions are filed.

Learned Counsel for the petitioners submits that in identical circumstances, in W.P.No.23006 of 2017 and batch, dated 27.07.2017, this Court, while restraining the respondents from demolishing the houses of the petitioners for a period of six weeks, gave liberty to the petitioners therein to implead in O.S.No.25 of 2001

to contest the case claiming their right through defendants of the suit therein.

A perusal of the present affidavits shows that O.S.No.273 of 1981 was disposed of in respect of the land, a part of which was purchased by the petitioners. It appears that W.P.No.20919 of 2016 is also disposed of. The issues raised in the said cases cannot be decided in the present Writ Petition, since no written representation was submitted to the Gram Panchayat by the petitioners.

In the circumstances and in view of the reasons given in the impugned notices, liberty is given to the petitioners to submit a detailed explanation to the notices issued by the Gram Panchayat and the Gram Panchayat shall take further action only after passing a reasoned order after considering the written explanations submitted by the petitioners. The petitioners are given fifteen days time to submit the written explanations and till orders are passed by the fifth respondent, no action for demolition of the houses of the petitioners shall be taken.

The Writ Petitions are, accordingly, disposed of. The miscellaneous petitions pending in these Writ Petitions, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

04.08.2017

Note: Issue C.C in three days.

B/o.

vs