

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No. 3600 of 2017

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for respondent Nos.1 to 3, Sri Ravi Chimalapati, learned Standing counsel for respondent No.4 and Sri A.K. Kishore Reddy for respondent Nos.5 and 6.

In the affidavit filed in support of the writ petition, it is stated by the petitioner that he is the absolute owner and possessor of house bearing Door No.3-8 of Turangi Village, Kakinada, East Godavari District having purchased the same under registered sale deed, dated 21.07.2016, bearing document No.1492 of 2016 and that on the southern side of his house a cement road was laid by respondent No.4 with the funds provided by respondent No.3. It is alleged that in the month of November, 2016, respondent Nos.5 to 8 raised a well on the said cement road and closed the pathway highhandedly.

It is submitted by the learned counsel for the petitioner that calling upon respondent Nos.2, 3 and 4, the petitioner caused a legal notice issued on 19.12.2016 asking them to remove the wall constructed by respondent Nos.5 to 8, but, so far no action has been taken.

At the hearing, it is submitted by the learned Standing counsel that the Gram Panchayat will take appropriate action in accordance with law. On the other hand, learned counsel for respondent Nos.5 and 6 submits that the respondents 5 and 6 may also be given notice before taking any action.

In view of the above submissions, the writ petition is disposed of directing the 4th respondent to take appropriate action on the legal notice, dated 19.12.2016, said to have been issued by the petitioner, after giving notice and opportunity of hearing to all the stakeholders, within a period of four weeks from the date of receipt of a copy of this order.

Miscellaneous petitions, if any pending, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 27.02.2017
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