

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION Nos 41258 And 455 of 2017

COMMON ORDER:

These writ petitions are filed stating that in WP.No.41258 of 2017 respondents 8, 9 and respondent No.7, who is respondent No.6 in WP.No.455 of 2017 are making constructions in open plots meant for communal purpose. As such, after filing of WP.No.455 of 2017, notice dated 07-10-2017 was issued. But no action is being initiated against respondent No.6 in WP.No.455 of 2017, and respondent No.7 in WP.No.41258 of 2017. Taking advantage of the same, respondents 8 and 9 in WP.No.41258 of 2017 have also started construction in other plots meant for open spaces as per approved lay out. It is also submitted that respondent No.7 in WP.No.41258 of 2017 and respondent No.6 in WP.No.455 of 2017 is none other than Sarpanch of the same village.

Notice was also issued to respondent No.6 in WP.No.455 of 2017 who is respondent No.7 in WP.No.41258 of 2017 and served. The Grampanchayat having realized that said respondent is making construction, issued notice on 07-10-2017. But no further action has been taken.

Learned Standing Counsel for the 4th respondent submits that letter was addressed on 24-03-2017 for conducting of the survey. The Grampanchayat has issued notice on 07-10-2017 stating that construction is being made in the plots demarcated for communal purpose. It is not known why subsequent action has not been taken.

Heard learned counsel for the petitioners in both writ petitions and Sri G.Seshadri, learned Standing Counsel for respondent-Grampanchayat.

Though notice is served in WP.No.455 of 2017, there is no representation for respondent No.6, who is respondent No.7 in WP.No.41258 of 2017.

Having regard to the above, these writ petitions are disposed of directing respondents 2 to 6 in WP.No.41258 of 2017 to consider the representation of the petitioners dated 09-10-2017 and also representation of the petitioner dated 30-12-2016 in WP.No.455 of 2017 with regard to alleged constructions made by respondents 7 to 9 in WP.No.41258 of 2017 and respondent No.6 in WP.No.455 of 2017 in accordance with law as early as possible preferably within a period of two weeks from today as already notice dated 07-10-2017 was served to respondent No.6. Meanwhile, respondent No.6 in WP.No.41258 of 2017 shall inspect the premises within a period of one week from the date of receipt of a copy of this order and take steps for preventing any further encroachment or construction to be made in subject plots. As a sequel to the disposal of these petitions, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

13-12-2017

Note:

Issue CC in three days.

B/o.

Nvl





As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

07-11-2017
Nvl



