

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 29643 of 2017

Order:

The petitioner claims to be the owner and possessor of House bearing No.4-116 (OLD), New No.4-47 and 4-48, situated at Pulagamvari Street, Rayavaram village and Mandal, East Godavari District. She constructed house after obtaining permission from the Gram Panchayat. She was regularly paying the taxes to the Gram Panchayat. While so, the sixth respondent lodged a complaint on 18.07.2017 against the petitioner alleging that she constructed compound wall on the road of the Gram Panchayat. The petitioner states that she never occupied the road as alleged by the sixth respondent and she constructed the house and compound wall after obtaining permission from the Gram Panchayat about 20 years back. The petitioner also alleges that the sixth respondent constructed a Car shed in Mallidivari Street by occupying the cement road and drain by obstructing the movement of the vehicles and she made a complaint to the respondents 4 and 5 against the sixth respondent for removal of the said structure and in view of the said complaint, the present complaint was lodged by the sixth respondent. When a show cause notice dated 24.08.2017 was issued to the petitioner calling her explanation, the present Writ Petition is filed.

A reading of the earlier complaint of the petitioner against the sixth respondent shows that there are some disputes pending between the petitioner and the sixth respondent with regard to usage of Gram Panchayat road and this is not a fit case for entertaining by this Court under Article 226 of the Constitution of India. It is open to the petitioner to take appropriate civil proceedings in a competent Court, if she has any

grievance. In the meanwhile, it is open to the petitioner to submit her explanation to the notice issued on 24.08.2017.

The Writ Petition is, accordingly, disposed of giving liberty to the petitioner to approach the Civil Court, if she wants to protect her right. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions pending in this Writ Petition, if any, shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 01.09.2017
Nsr

