

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.18444 OF 2017

ORDER:

This Writ Petition is filed by the petitioner with the prayer which reads as follows:-

“To issue an appropriate writ, Order or Direction more particularly a Writ in the nature of Writ of Mandamus, direct the respondents to take action on petitioner’s legal notice dt.11.05.2017 to protect the Panchayat department land from the encroachers and their illegal constructions, under Articles 14,19 and 21 as being illegal, arbitrary, unjust and to grant such other relief or reliefs as this Hon’ble Court deems fit and proper in the circumstances of the case”

Heard learned counsel for the petitioner and also the learned Govt. Pleader for Panchayat Raj and revenue, and also recording the offer of the learned Standing Counsel G.Narender Reddy, to file vakalath for 4th respondent and to get instructions and perused the writ petition prayer, supporting affidavit and also material on record.

The only grievance of the petitioner is that he is making his livelihood by selling fish in a temporary shed in the land of gram panchayat by obtaining certificate from gram panchayat for a decade but same is recently declared as assigned lands. Recently some encroachers occupied the lands illegally. In spite of his legal notice to the respondents about the encroachments, the respondents did not take any action against the encroachers and trying to dispossess him from that place without following due process of law.

Having regard to the above, the Writ Petition is disposed of directing the respondents to follow the due process of law as per the provisions of Panchayat Raj Act and Land Acquisition Act, as the case may be, if at all to dispossess the petitioner, in case property vested in the Panchayat Raj.

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

Dr. B. SIVA SANKARA RAO, J

Dt.16.06.2017
b/o.vvr

