

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

WRIT PETITION No.8843 OF 2017

ORDER:

Heard the learned counsel for the petitioner and Sri G.Narender Reddy, learned Standing counsel for respondent No.4-Grampanchayat.

2. The grievance of the petitioner in the present writ petition is that without considering the representation/explanation submitted by the petitioner herein on 03.03.2017 in response to the notice of respondent No.4 issued under Section 98 of the Telangana State Panchayat Raj Act, 1994 (for short, 'the Act'), the respondents are interfering with the property of the petitioner herein.

3. The Secretary of Grampanchayat, Narsingi, issued a notice bearing No.GPN/204/2016, dated: Nil, under Section 98 of the Act stating that the petitioner's house/building boundaries are encroaching upon the bazaar by way of shed and due to which, multiple difficulties are occurring, which is leading to public nuisance. The petitioner herein submitted a representation/explanation to the said notice on 03.03.2017. Learned counsel for the petitioner submits that without taking any action on the said explanation, the respondent/Grampanchayat is attempting to interfere with the subject property of the petitioner herein.

4. This Court is of the considered view that the ends of justice would be served if respondent No.4/Grampanchayat is directed to consider the representation dated 03.03.2017 said to have been submitted by the petitioner before proceeding further with the matter pursuant to the notice bearing No.GPN/204/2016, dated: Nil.

5. For the aforesaid reasons, the Writ Petition is disposed of directing the 4th respondent/Grampanchayat to consider the representation dated 03.03.2017 submitted by the petitioner herein in response to the notice bearing No.GPN/204/2016, dated: Nil, issued by the 4th respondent and pass appropriate orders after giving notice and opportunity of hearing to the petitioner herein. Till then, no coercive steps shall be taken in respect of the house covered by the aforesaid notice issued by the 4th respondent.

Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

Date:15.03.2017

Note: Furnish CC by tomorrow
(B/O)
INL

JUSTICE A.V. SESA SAI

