

HON'BLE SRI JUSTICE S.V.BHATT

W.P. No.22754 OF 2012

ORDER:

Heard Mr.Ramesh Babu for petitioner, the Assistant Government Pleader for Panchayat Raj and Mr.Chimalapati Ravi for 3rd respondent.

The petitioner prays for the following relief:

"...Writ of Mandamus declaring the action of the respondents 2 & 3 in trying to lay C.C. Road in the eastern side of petitioner's house site in an extent of 135 Sq yards in R.S. No 72/1 in G. Kothapalli Village, Dwarakatirumala Mandal, West Godavari District which is his private land by removing bamboo fencing erected by him as illegal, arbitrary, highhanded, without having any authority and against to principles of natural justice apart from being violative of Article 300 A of Constitution of India.."

This Court on 25.07.2012 directed the parties to maintain status quo as on 25.07.2012 in respect of the subject property until the next date of hearing.

The interim order is subsisting as on date. After perusing the material available on record, this Court is of the view that the parties can be directed to maintain status quo for a period of three months from today and the 3rd respondent is directed to issue notice to petitioner, if the circumstances warrant, and hear petitioner only when the property belongs to Gram Panchayat proceed to lay a road. The 3rd respondent is directed to communicate its decision and it is open to petitioner, if he is aggrieved, to assail the said communication as well.

The writ petition is disposed of. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

S.V.BHATT,J

Date: 23.01.2017

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